

BYLAW NO. 16-6

A BYLAW OF THE TOWN OF BANFF IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING AND CONTROLLING TRAFFIC

WHEREAS, subject to the Traffic Safety Act and the Dangerous Goods Transportation and Handling Act, the Traffic Safety Act provides that Council may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the Traffic Safety Act;

AND WHEREAS, subject to the Traffic Safety Act and the Provincial Offences Procedures Act, the Traffic Safety Act provides that Council may make bylaws with respect to parking on private property;

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, enacts:

CITATION

1. This Bylaw may be cited as the "Traffic Bylaw."

DEFINITIONS

2. In this bylaw:
 - a) Any reference to a named act is a reference to an Act of the Legislature of Alberta, as amended from time to time;
 - b) Any reference to a Town of Banff staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
 - c) The definitions in Schedule "A" will apply to the corresponding words if the first letter of that word is capitalized in this bylaw.

SECTION 1: OPERATION OF VEHICLES

3. All Persons owning or operating Vehicles shall comply with all Traffic Control Devices authorized under this or any other bylaw of the Town.
4. The speed limit on all Roadways shall be 40 kilometres per hour except as otherwise listed in Schedule "C" to this bylaw.
5. No owner of a Vehicle or Person operating a Vehicle shall stop a Vehicle or permit a Vehicle to be left upon any Highway in such a manner as to obstruct traffic, unless the obstruction is unavoidable due to mechanical failure of a Vehicle, provided the owner or operator of the Vehicle promptly takes measures to remove the Vehicle from the Highway.
6. Unless otherwise authorized, no Person shall park or drive any motor Vehicle upon any Public Place except in an area designated for Vehicular Parking by the Town Engineer in writing or by a sign or signs. Town employees or agents of the Town in the performance of their duties are exempt from this section.

7. Any Vehicle in a funeral procession, except the lead Vehicle, may during daylight hours enter an intersection without stopping if:
 - a) the headlights are alight;
 - b) the Vehicle is travelling immediately behind the Vehicle in front of it so as to form a continuous line of traffic; and
 - c) the passage into the intersection can be made in safety.
8. No Person shall operate a Passenger Bus with a capacity to carry 24 or more people on a Highway within the Town other than on a Roadway specified in Schedule "E", unless a permit has been issued by the Town Engineer allowing a Passenger Bus to divert from specified Roadways to make specified pick-ups and drop-offs.
9. No person shall apply or engage engine retarder brakes within the limits of the Town.

SECTION 2: OPERATION OF HEAVY VEHICLES

10. Except as permitted by this bylaw no Person shall operate or park a Heavy Vehicle on a Highway other than a Highway specified as a truck route in Schedule "D" of this bylaw.
11. No Person shall operate a Heavy Vehicle on a Highway unless the Vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest truck route and is being used for one of the following purposes:
 - a) Persons delivering or collecting goods or merchandise to or from or providing services at the premises of bona fide customers;
 - b) Persons moving a building for which the necessary moving permit has been issued by the Town;
 - c) Persons going to or from premises for the servicing or repairing of the Heavy Vehicles;
 - d) Persons pulling a disabled Vehicle from a Highway prohibited to Heavy Vehicles; and
 - e) Persons going to or from or actually performing work on a Highway.
12. Persons that have more than one delivery, collection or service in an area not located upon a truck route may make all deliveries, collections or services within that area before proceeding by the most direct and practical route to the nearest truck route.
13. No Person shall operate a Vehicle in contravention of Sections 10 and 11 of this bylaw unless a permit to do so has been authorized by the Town Engineer.
14. Every applicant for an overweight permit must provide the following information, in the form required by the Town Engineer:
 - a) The nature of the Vehicle to be moved, including:
 - i) the name of the manufacturer of the Vehicle;
 - ii) the style and number of wheels and axles;
 - iii) the origin and destination of route; and
 - iv) any other information the Town Engineer may reasonably require.

15. In a permit issued pursuant to Section 14, the Town Engineer may:
 - a) specify the route to be taken;
 - b) specify the precautions required to protect the Highway along the route including:
 - i) the laying down of planks to protect pavement or crosswalks; and
 - ii) timbering to protect bridges or culverts;
 - c) specify the hours during which movement shall take place; and
 - d) specify such other conditions as he deems necessary for the protection of the Highways.
16. Coincident with issuance of an overweight permit, the applicant for the permit shall enter into an agreement with the Town which shall include the obligation to pay all damages caused to any Highway or any works made or done over, upon or under the same, as a result of the operation and conveyance or movement of the Vehicle or machinery covered by the permit.
17. Any Person violating Sections 10 and 11 is liable on summary conviction to a fine of not less than \$100.00 for each 500 kilograms or part thereof of weight borne by the Vehicle in excess of the maximum 7,000 kgs.
18. In the case of any dispute arising as to the weight of any Vehicle, a certificate of weight in accordance with the Traffic Safety Act shall be deemed conclusive proof of such weight.

SECTION 3: PARKING

19. Unless required or permitted by this bylaw, by a permit issued by the Town, by a Traffic Control Device, or in compliance with the directions of a Peace Officer, or to avoid conflict with other traffic, an operator or owner shall not stop or park or permit his Vehicle to be stopped or parked:
 - a) on a Sidewalk or boulevard;
 - b) on a crosswalk or on any part of a crosswalk;
 - c) at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when his Vehicle is parked in the space where a Traffic Control Device indicates parking is permitted;
 - d) within 5 metres on the approach to a stop sign or a yield sign;
 - e) within 5 metres of any fire hydrant or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant;
 - f) within 1.5 metres of an access to a garage, private road or driveway or a Vehicle crossway over a Sidewalk;
 - g) within 5 metres of the near side of a marked crosswalk;
 - h) along side or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - i) on any bridge or in any underpass or on the approaches to either of them;

- j) at any other place where a Traffic Control Device prohibits stopping or parking, during the time stopping or parking is so prohibited;
 - k) on the Roadway side of the Vehicle parked or stopped at the curb or edge of the Roadway;
 - l) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder Peace Officers, members of the fire department, ambulance drivers, rescue officers or any of their assistants;
 - m) on a Highway where traffic is designated as two-way, in the opposite direction of the Vehicle traffic; and
 - n) in excess of 72 consecutive hours on any Highway where parking is permitted.
20. The Town Engineer may authorize the placement, on or near a Roadway, of temporary signs that read “No Parking” or contain an international symbol that indicates “No Parking.” After such signs are placed on or near a Roadway, no Person shall park or leave a Vehicle in contravention of such sign.
21. Any Vehicle parked on the Roadway prior to the placement of a temporary “No Parking” sign must be removed within 24 hours of the placement of the sign.
22. No Person shall place or permit to be placed any sign upon private property indicating that no parking is permitted on a Highway adjacent to such property.
23. No Person shall park a vehicle or permit a Vehicle to be parked on private property without the permission or authorization of the owner of the private property or a person having lawful possession or control of the private property.
24. Where a Traffic Control Device restricts the parking of Vehicles to a number of minutes or hours, no Person shall park or leave a Vehicle in excess of the time so designated and marked on the Traffic Control Device.
25. After the issuance of a Violation Ticket to a Vehicle for a violation of Section 24, if a Vehicle remains parked in excess of the time permitted on the Traffic Control Device for a further period, a second offence shall be deemed to have occurred.
26. Where a surface parking lot is designated as “No Same Day Returns” no Person shall, within a 12 hour period, park or permit to be parked a Vehicle when the same Vehicle has already been parked once before in that lot within the 12-hour period.
27. Parking in Alleys within the Town shall not be permitted unless otherwise posted, but Alleys may be used for:
- a) the loading or unloading of goods from a Commercial Vehicle for a period not exceeding thirty (30) minutes with the engine turned off or
 - b) the loading or unloading of goods or passengers from a private non commercial Vehicle for a period not exceeding five (5) minutes.
28. No owner or operator shall park or permit to be parked a Vehicle in any loading zone marked with a Traffic Control Device for a period of time greater than that indicated on the Traffic Control Device.

29. An owner or operator of a Vehicle using or causing to be used a designated parking space shall park or cause such Vehicle to be parked wholly within the limits of the parking space designated by lines painted or marked upon the surface of the parking lot.
30. Where parallel parking is allowed, a Person shall park his Vehicle with the sides of it parallel to the curb or edge of the Roadway:
 - a) with the right hand wheels of the Vehicle not more than 500 millimetres from the right-hand curb or edge of the Roadway or
 - b) in the case of a one-way Highway where parking on either side is permitted, with the Vehicle wheels closest to a curb or edge of the Roadway not more than 500 millimetres from that curb or edge and with the Vehicle facing the direction that travel is authorized for that Highway.
31. No owner or operator shall park or permit to be parked a Vehicle in a space where a Traffic Control Device indicates that parking is restricted to a special class of Vehicle only, unless the Vehicle falls within the designated special class for the place. For the purpose of this section, special classes shall include but are not limited to:
 - a) small cars (cars having a wheel base of 270 cm or less);
 - b) police Vehicles;
 - c) transit Vehicles;
 - d) tour buses;
 - e) School Buses;
 - f) funeral cars;
 - g) motorcycles;
 - h) Taxis;
 - i) Recreational Vehicles
 - j) horse drawn carriages;
 - k) high occupancy vehicles; and
 - l) Municipal Vehicles.
32. No owner or operator shall park or leave or permit to be parked or left a Vehicle on private land or a Highway, in a space reserved for disabled Persons parking which has been so designated by a Traffic Control Device erected by the Town or the lessee, tenant, or his agent, as the case may be, unless the Vehicle displays Sign IC-14, as specified in the Canadian Manual of Uniform Traffic Control Devices.
33. A Vehicle or Vehicle with any type of Trailer attached which exceeds 7.5 metres in length but does not exceed 11 metres in length shall only be parked on a Highway in the Town under the following conditions:
 - a) on a Roadway in a residential area, for a period not exceeding 24 hours or
 - b) if a permit has been issued pursuant to Town of Banff Bylaw 124 – Street and Public Place Use or

- c) at a location that has been designated by the Town Engineer by a sign.
- 34. A Vehicle operating as or designated as a Taxi shall only be parked in the Town in such places and at such times as may be designated by the Town Engineer.
- 35. No operator of a Taxi shall park and leave his Vehicle unattended in any area designated pursuant to Section 34 for a period exceeding 15 minutes.
- 36. No Person shall park a Passenger Bus with a capacity of 24 persons or more on a Highway within the Town except at such locations as have been designated by the Town Engineer by a Traffic Control Device.
- 37. No Person shall park a Commercial Vehicle overnight on a Highway within the Town unless a permit to do so has been issued by the Town Engineer and the Commercial Vehicle is parked at the location specified in the permit.
- 38. No operator or owner shall leave parked or permit to be left parked on any Highway a Trailer, whether the Trailer is designed for the occupancy of persons or the carrying of goods or equipment; a semi-trailer; mobile equipment or any Vehicle which has been detached from the vehicle which is used to draw it.
- 39. When attached to the Vehicle which is used to draw it, a Trailer, semi-trailer or mobile equipment shall be deemed to be part of the Vehicle and subject to the provisions of this bylaw pertaining to Vehicles.

SECTION 4: IDLING

- 40. No operator of a Commercial Vehicle shall stop or park or leave his vehicle at a standstill with the engine running or Idling anywhere within the town of Banff.
- 41. After the issuance of a Violation Ticket to a Commercial Vehicle for the first violation of Section 40 and if a Commercial Vehicle remains Idling for a further period, a second offence shall be deemed to have occurred.
- 42. The provisions of this bylaw relating to stopping or parking of Vehicles and the restriction of Idling Vehicles do not apply to any of the following Vehicles while being used in work requiring that the Vehicle be stopped or parked and Idling:
 - a) emergency Vehicles;
 - b) Vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cable vision systems;
 - c) municipal and other government public works Vehicles; or
 - d) towing service Vehicles.
- 43. Where the operator of a Vehicle stops, stands or parks pursuant to Section 42 contrary to other provisions of this bylaw, he shall take due precautions to indicate the presence of such Vehicle on a Highway while so parked or stopped.
- 44. The provisions of this bylaw relating to the restriction of Idling Vehicles do not apply to a refrigeration Vehicle that, while in use, complies with the stopping and parking requirements of this bylaw.

SECTION 5: BICYCLES

45. Unless the context otherwise requires, a Person operating a bicycle on a Highway has all of the rights and is subject to all of the duties that any Vehicle operator has under this bylaw.
46. A Peace Officer or a Bylaw Services Officer may seize and impound for a period of not exceeding 45 days a bicycle:
 - i) used or operated in contravention of this bylaw or
 - ii) deemed by a peace officer or bylaw enforcement officer to be lost or abandoned.
47. Where a bicycle has been seized and impounded by a Peace Officer or a bylaw enforcement officer as provided for in Section 46, the owner or operator of such bicycle shall, in addition to any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle.

SECTION 6: OTHER VEHICLES

48. No person may operate a pedicab or a rickshaw for hire on any Highway in the Town.
49. No Persons on roller skates, roller blades, a Skateboard, sled, skis, roller skis, a toy Vehicle, tricycle or a similar device shall be upon any portion of any Highway with the following exceptions:
 - a) Skateboarding by Persons 12 years of age and over is permitted only upon the Roadway portion of any Highway, except those Highways as illustrated on Schedule "F" and those areas or Public Places which are marked by signs indicating "No Skateboarding" or "Skateboarding Prohibited".
 - b) Skateboarding by Persons under the age of 12 years is permitted upon the Sidewalk portion of any Highway, except those Sidewalks as illustrated on Schedule "F" and those areas or Public Places which are marked by signs indicating "No Skateboarding" or "Skateboarding Prohibited".
 - c) Rollerblading, roller skating and roller skiing by Persons aged 12 years and over is permitted only upon the Roadway portion of any Highway except those areas as illustrated on Schedule "G".
 - d) Rollerblading, roller skating and roller skiing by Persons under the age of 12 years is permitted upon the Sidewalk portion of any Highway except those illustrated on Schedule "G".
50. No Person travelling on a coaster, sled, toboggan, skis, roller skis, roller skates, roller blades, Skateboard, tricycle or toy Vehicle of any kind or similar device shall cling to or attach himself or his conveyance to a Vehicle upon a Roadway.
51. Operators of Vehicles permitted in Section 48 shall use the Vehicles as nearly as practicable to the right hand side of the Roadway and shall at all times yield the right-of-way to Vehicles of any other description.
52. No person shall operate a skateboard between the hours of 11:00 p.m. and 7:00 a.m

53. Upon any contravention of this bylaw, a Peace Officer or a Bylaw Enforcement Officer may seize and impound for a period not exceeding 45 Days a Skateboard used in contravention of this bylaw.

SECTION 7: RIGHTS AND DUTIES OF PEDESTRIANS

54. No Person shall stand upon or walk along a Roadway for the purpose of soliciting a ride from the driver of any Vehicle.
55. A Pedestrian shall cross a Roadway only in designated crosswalks. Where a crosswalk is not designated a Pedestrian shall cross a Roadway at an intersection, unless a sign prohibits such a crossing.

SECTION 8: USE OF SIDEWALKS

56. Except as otherwise provided in this bylaw, a Person shall not engage in the following activities on or along a Sidewalk, footpath, walkway, or boulevard:
- a) drive, lead or allow a hoofed animal to walk;
 - b) drive, draw or push any motor Vehicle;
 - c) ride a horse;
 - d) propel or ride a wheeled Vehicle of any description; or
 - e) draw or push a wheeled Vehicle of any description other than a bicycle.
57. Section 56 does not apply to crossing a Sidewalk in a place where there is a lane or prepared crossing or where permission has been granted for such purpose.
58. Notwithstanding the provisions of Section 56, a Person may draw, push or propel the following on or along a Sidewalk in such a way as to not interfere with others using the Sidewalk.:
- a) a wheeled shopping cart or other grocery carrier;
 - b) a baby carriage, a wheeled device for carrying a child or an invalid;
 - c) a child's tricycle or bicycle equipped with training wheels; or
 - d) a bicycle operated by an individual under the age of twelve (12) years.
59. No Person shall load or unload goods or merchandise across a Sidewalk or boulevard where alternate loading or unloading facilities have been provided to such premises to which the goods are being delivered or from which they are being taken.

SECTION 9: AUTHORITY

60. Except as otherwise set out in this bylaw Council hereby delegates to the Town Engineer the authority to regulate and control the use of all Highways and Public Places in the Town as defined in this bylaw or the Traffic Safety Act. Examples of the authority to regulate and control include but are not limited to regulating and controlling access to and from Highways, and imposing local limits on Highways.

61. The Town Engineer is hereby delegated the authority to prescribe where Traffic Control Devices, either permanent or temporary, are to be located including Traffic Control Devices restricting the speed of Vehicles.
62. Upon request by an applicant or permit holder and when it is decided by the Town Engineer that extenuating circumstances exist, the Town Engineer is hereby authorized to waive or alter any term of an agreement or permit required by this bylaw.
63. The Town Engineer may revoke any permit or authorization given or made under the terms of this Bylaw if:
 - a) The permit holder fails to comply with the terms and conditions of the permit; or
 - b) The Town Engineer is of the opinion that the permit or authorization was given in error or on the basis of false or inaccurate information; or
 - c) occupied areas indicated on the permit are required by the Town for other purposes.
64. Any Peace Officer or Bylaw Services Officer is hereby authorized to remove or cause to be removed any Vehicle or trailer:
 - a) parked or left at a standstill in contravention of this bylaw or
 - b) where emergency conditions may require such removal from a Highway.
65. Pursuant to Section 64, any Vehicle or trailer may be removed by a towing company contracted by the Town to perform such services to a place designated by the Town Engineer where it will remain impounded until claimed by the owner thereof or his authorized agent.
66. Where a Vehicle, including any goods being carried by the vehicle, is seized, immobilized, detained, removed, transported, or stored pursuant to the directions of a Peace Officer or Bylaw Services Officer, all associated costs are a lien on the Vehicle unless otherwise provided for by the Traffic Safety Act.
67. Any Peace Officer or Bylaw Enforcement Officer, when enforcing the provisions of the Traffic Safety Act or this bylaw, may place an erasable chalk mark on tread of the tire of a parked or stopped Vehicle without that Person or the Town incurring any liability for doing so.
68. No Person shall remove an erasable chalk mark placed under Section 67 while the vehicle remains parked in the location where it was marked.

SECTION 10: VIOLATIONS AND ENFORCEMENT

69. Any Person who contravenes the provisions this bylaw or the terms of any permit issued pursuant to this bylaw is guilty of an offence and is liable for the penalty set out in Schedule B, or if no penalty is specific in Schedule B for the particular offence, for the penalty in accordance with Section 75 of this bylaw.
70. When a person is alleged to have contravened any provision of this Bylaw, a Peace Officer or Bylaw Services Officer may issue a Violation Ticket which shall state:
 - a) The nature of the offence;
 - b) The penalty payable in connection with the offence; and

- c) The time period within which the penalty must be paid.
71. A Violation Ticket shall be deemed to be sufficiently served for the purposes of this bylaw if:
- a) Served personally on the accused; or
 - b) Mailed to the address of the registered owner of the Vehicle concerned; or to the Person concerned; or
 - c) Attached to or left securely and visibly upon the Vehicle in respect of which the offence is alleged to have been committed.
72. In lieu of prosecution, the Person named in the Violation Ticket may elect to voluntarily make payment to the Town of the penalty amount specified in the Violation Ticket.
73. When a Person is served with a Violation Ticket for contravention of Section 24 of this bylaw for parking or leaving a vehicle at a standstill beyond the time limit designated on a Traffic Control Device and the recipient of the Violation Ticket voluntarily delivers payment to the Town within seven (7) Days of the date the Violation Ticket is issued, the specified penalty shall be reduced by thirty-three (33%) percent.
74. If the payment specified in the Violation Ticket is not paid in accordance with the terms of the ticket and in the time required by the ticket, a prosecution may be commenced for the alleged contravention of this bylaw.
75. Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, upon summary conviction before a court of competent jurisdiction, shall be liable to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) or in the event of non-payment of the fine, imprisonment for a period not exceeding ninety (90) days unless such fine is sooner paid.

SECTION 11: ENACTMENT

76. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
77. Schedules A, B, C, D, E, F, and G form part of this bylaw.
78. Bylaw 16-5 is repealed upon this bylaw coming into force.
79. This bylaw comes into force when it receives third reading and is signed by the Mayor and the Town Manager or designates.

Read a first time this 22nd day of January, 2007.

Read a second time this 22nd day of January, 2007.

Read a third time this 22nd day of January, 2007.

Approved on behalf of the Town of Banff:

John Stutz
Mayor

February 6, 2007
Date

Robert Earl
Town Manager

February 6, 2007
Date

SCHEDULE "A" - Definitions

1. In this bylaw the following definitions will apply to the corresponding words if the first letter of that word is capitalized:
 - a) **Alley** means a narrow Highway intended chiefly to give access to the rear of buildings and parcels of land.
 - b) **Bylaw Services Officer** means an employee of the Town who has been appointed to the position of Bylaw Enforcement Officer or Bylaw Services Officer pursuant to Bylaw Enforcement Officer Bylaw 5-2 or Land Use Bylaw 31-3.
 - c) **Commercial Vehicle** means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation, including but not limited to, transport trucks, delivery vehicles, Passenger Buses and taxis but does not include a private passenger vehicle.
 - d) **Heavy Vehicle** means:
 - i) a Vehicle with or without load weighing 7,000 kgs or more, or exceeding 11 metres in length, or
 - ii) a Vehicle with a trailer with or without load which exceeds 7,000 kgs in total weight or 11 metres in total length.
 - e) **Highway** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway 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 Sidewalk, including a boulevard adjacent to the sidewalk,
 - ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - iii) 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 edge of the roadway, as the case may be,but does not include a place declared by provincial regulation not to be a highway.
 - f) **Idling** means a vehicle which is at a standstill with the engine or motor running.
 - g) **Peace Officer** means the following persons while that person is in the exercise or discharge of their power or duties: a Special Constable appointed under the Police Act, a member of the Royal Canadian Mounted Police, or a park warden appointed under the Parks Canada Agency Act (Canada).
 - h) **Pedestrian** means an individual on foot or in a wheelchair or other device used to facilitate the transport a Person with a physical disability in a normal seated fashion.
 - i) **Person** includes a corporation and the heirs, executors, administrators or other legal representative of a person.
 - j) **Passenger Bus** means any Vehicle capable of transporting 11 people or more.
 - k) **Private Property** means land held under a lease, sub-lease or license of occupation and is controlled by an individual or business.

- l) **Public Place** means lands other than Highways leased to the Town or under the Town's management and control, within the Town of Banff including:
 - i) Any land developed, used or managed by the Town as a public park, sports or athletic field, playground or recreational area;
 - ii) Any land acquired by the town through subdivision as Municipal Reserve or Environmental Reserve;
 - iii) Any land developed, used or managed by the Town as a parking lot;
 - iv) Any land developed by the Town as a pathway or trail;
 - v) Any land developed, used or managed by the Town for public utilities
- m) **Recreational Vehicle** means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.
- n) **Roadway** means any part of a Highway intended for use by vehicular traffic.
- o) **School Bus** means a motor vehicle:
 - i) that is:
 - 1) owned or leased by a school board and
 - 2) used primarily to transport pupils to or from or to and from school; or
 - ii) that is:
 - 1) owned or leased by a person other than a school board, and
 - 2) pursuant to an agreement between that person and a school board used primarily to transport pupils to or from or to and from a school.
- p) **Skateboard** means a board with wheels that is ridden in a standing or crouching position and propelled by foot.
- q) **Taxi** means a motor vehicle capable of carrying 10 or fewer persons including the driver and used or intended to be used within the Town for carrying passengers for hire with a driver.
- r) **Town** means the Corporation of the Town of Banff and, where the context requires, the land included within the boundaries of the Town of Banff.
- s) **Town Engineer** means the Manager of Engineering for the Town of Banff or designate.
- t) **Traffic Control Device** means any sign, signal, marking or device placed, marked or erected by the Town under the authority of the Traffic Safety Act for the purpose of regulating, warning or guiding traffic.
- u) **Trailer** means any 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 that is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, either temporarily or permanently, and includes any type of machinery, tractor or such like.
- v) **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.
- w) **Violation Ticket** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, and regulations thereunder and which

requires payment in the amount specified in this bylaw or the Traffic Safety Act or the Provincial Offences Act, or regulations pursuant thereto.

SCHEDULE "B" - Penalties

Section	Description	Penalty
Operation of Vehicles		
4	Operating a Vehicle in excess of speed limit	In accordance with the Traffic Safety Act
5	Vehicle Obstructing Traffic	\$50.00
6	Driving or Parking on Public Places	\$75.00
8	Operating a Passenger Bus on a Roadway other than those specified in Schedule "E"	\$75.00
9	Unauthorized use of engine retarder brakes	\$200.00
Operation of Heavy Vehicles		
10	Prohibited Vehicle without permit	\$500.00
15	Breach of overweight permit specifications	\$250.00
Parking		
19	Illegal parking	\$50.00
20	Parking in contravention of "No Parking" signs	\$50.00
23	Parking on private property	\$50.00
24	Parking in contravention of time limits	\$30.00
26	Parking in contravention of "no same day return" regulation	\$30.00
27	Illegal parking in an alley	\$50.00
28	Illegal parking in a loading zone	\$50.00
29	Parking outside designated limits	\$50.00
31(b)	Parking in a zone restricted to police Vehicles	\$75.00
31(e)	Parking in a zone restricted to School Buses	\$75.00
31(f)	Parking in a zone restricted to funeral cars	\$75.00
31	Parking in all other restricted zones not noted above	\$50.00
32	Illegal parking in a handicap zone	\$250.00
33	Over-length Vehicle Parking	\$50.00
34	Breach of taxi parking rules	\$50.00
35	Unattended taxi outside taxi zone	\$50.00

Section	Description	Penalty
36	Breach of bus parking rules	\$75.00
37	Park Commercial Vehicle overnight on a Highway	\$75.00
38	Park unattached Trailer on a Highway	\$50.00
42	Breach of special services Vehicles rules	\$50.00

Idling

40	Breach of Idling rules	\$75.00
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Bicycles

45	Illegal operation of bicycle	\$100.00
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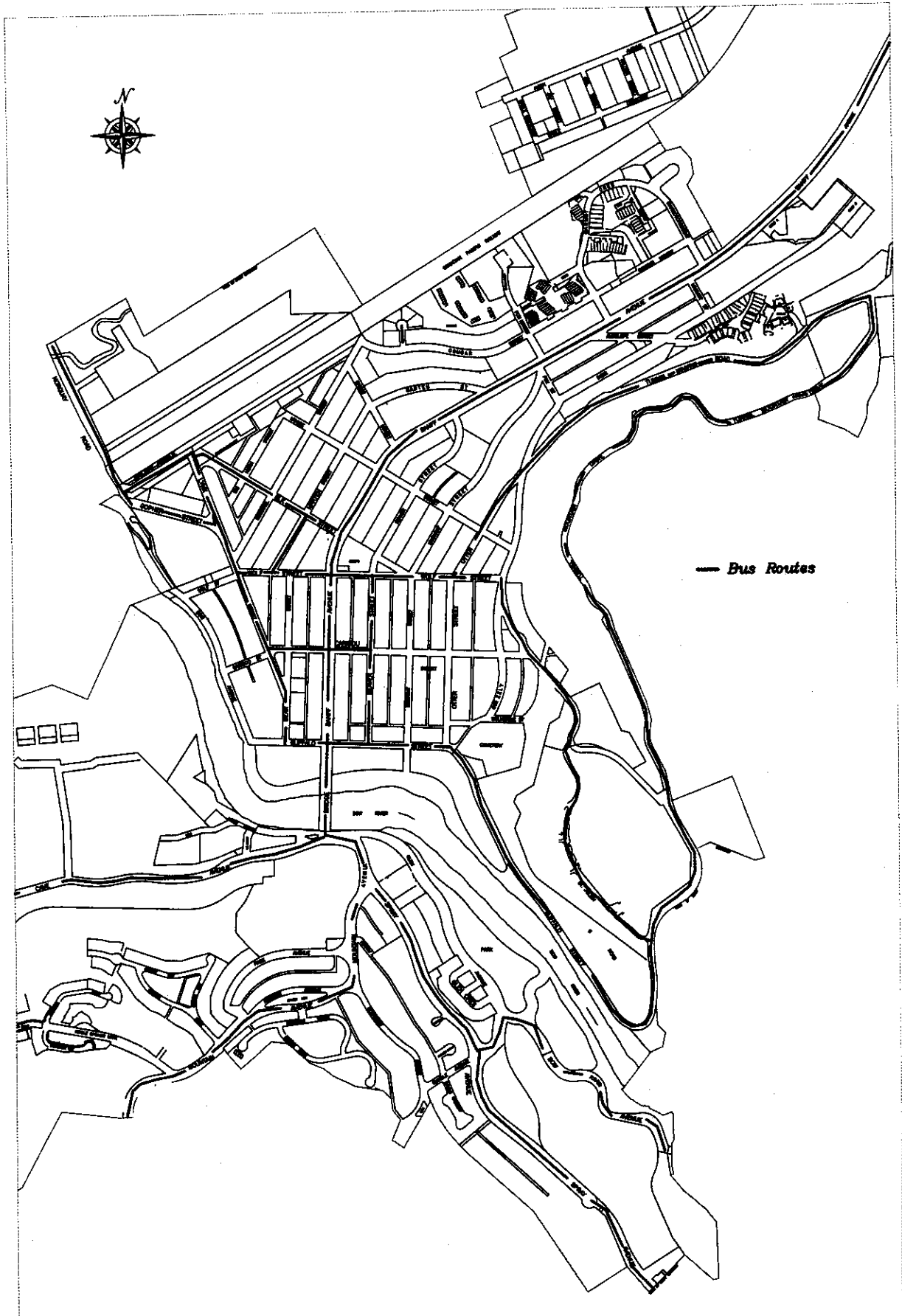
Other Vehicles

46	Refusal to surrender a bicycle	\$250.00
48	Operating a pedicab or rickshaw	\$75.00
49	Operating "other vehicles" illegally	\$75.00
50	Clinging or attaching to a Vehicle	\$75.00
52	Refusal to surrender a Skateboard	\$250.00
53	Soliciting a Ride	\$50.00
54	Crossing outside designated crosswalks	\$50.00
55	Illegal Use of Sidewalks	\$50.00
67	Removal of erasable chalk mark	\$50.00

SCHEDULE “C” – Speed Restrictions

In accordance with Sections 107 and 108 of the Traffic Safety Act, no Person shall drive a Vehicle within the Town of Banff in excess of the following speed limits unless otherwise posted:

- | | |
|---|----------|
| 1. Highways, excluding those listed below | 40 km/hr |
| 2. School Zones | 30 km/hr |
| 3. Playground Zones | 30 km/hr |
| 4. Lanes and Alleys | 15 km/hr |
| 5. Public Parking Lots | 15 km/hr |
| 6. Tunnel Mountain Road | 50 km/hr |



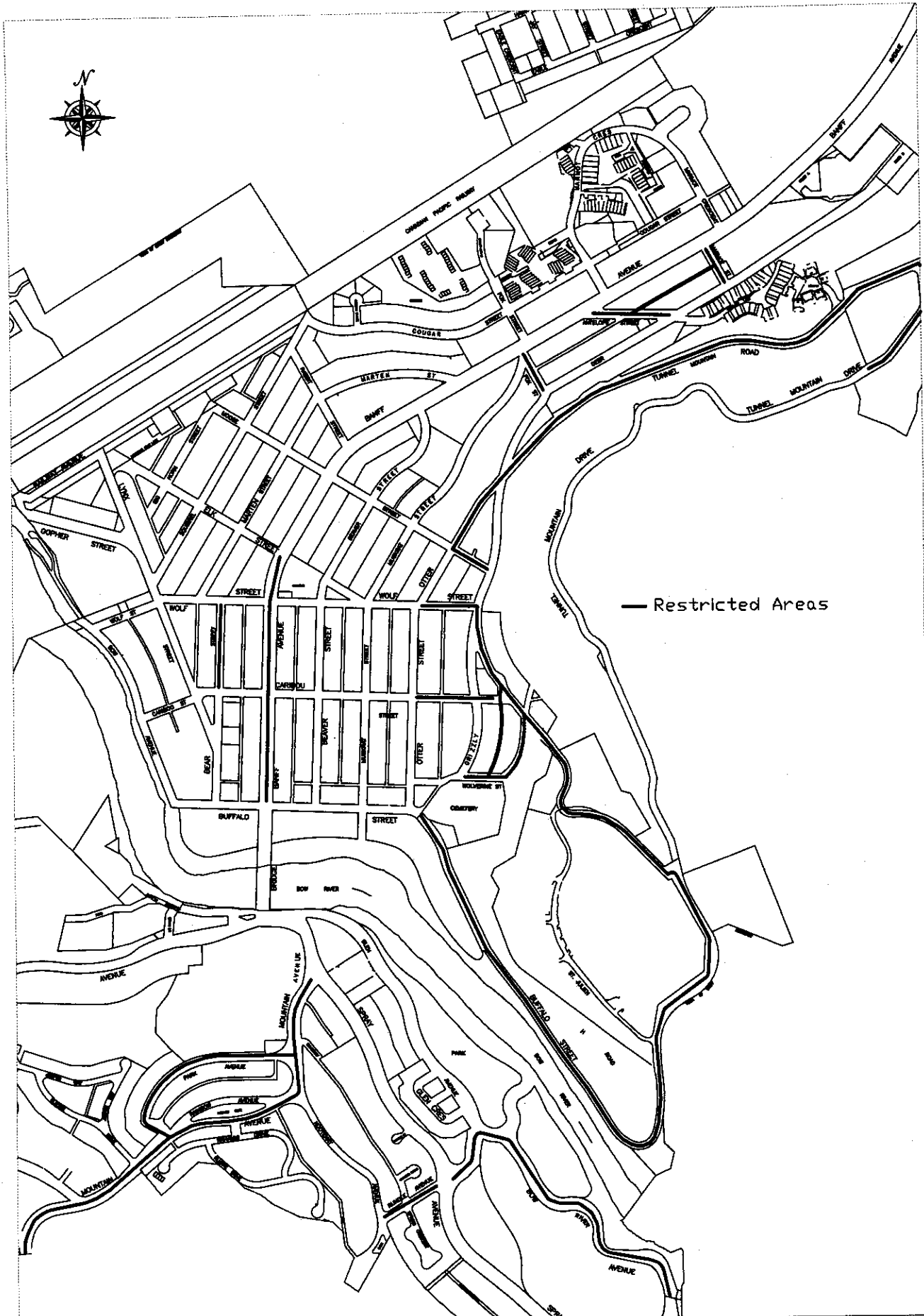
Traffic Bylaw
Schedule "E" Bus Routes

Drawn by: A. Cannons Aug 03
 Revised: E. Labelle Oct 03

DWG
 16-5F

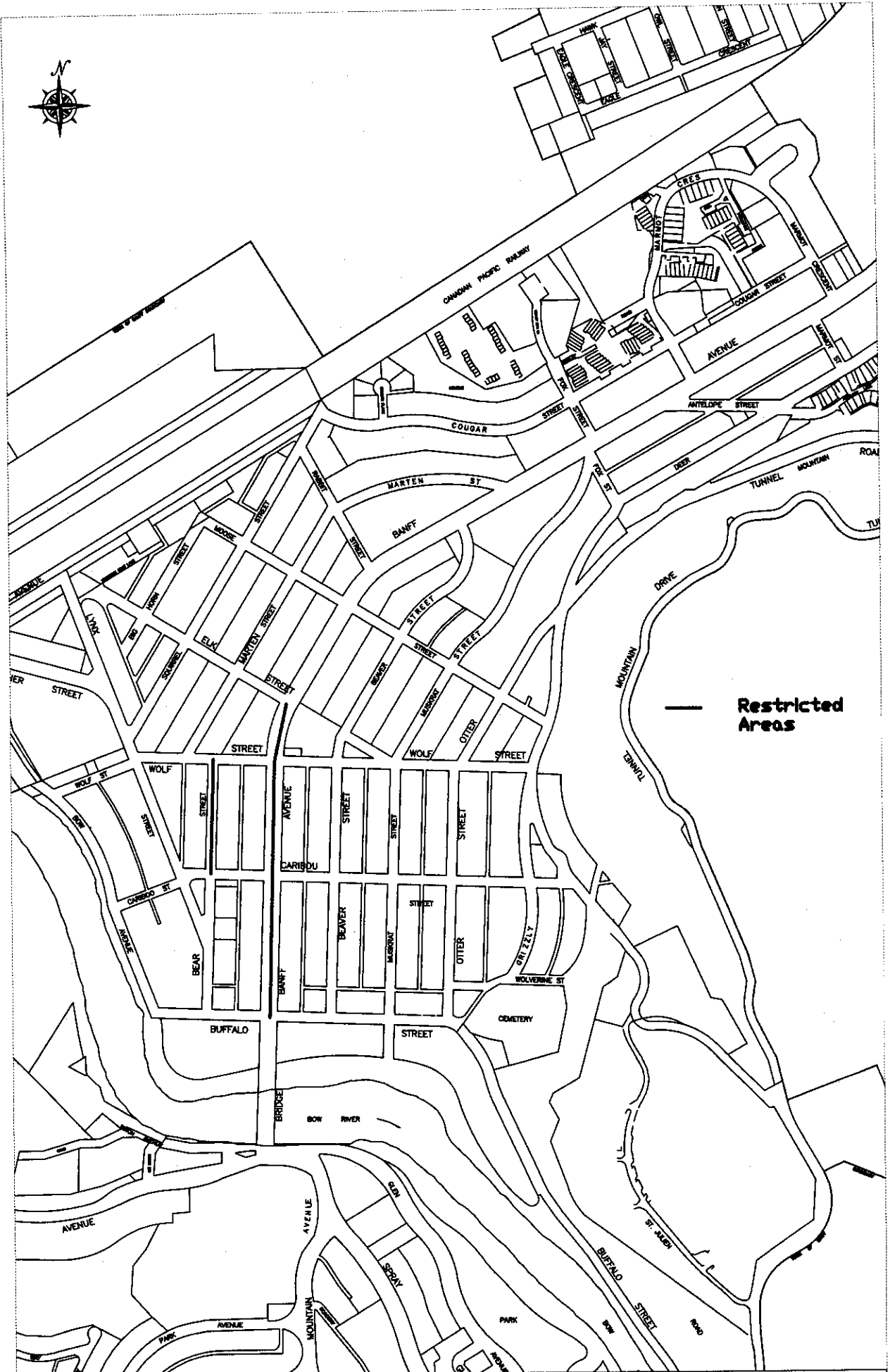
REV
 2

Town of Banff
 Environmental Services



— Restricted Areas

<p>Traffic Bylaw Schedule " F " SkateBoard Restricted Areas</p>	<p>Drawn by: A. Cannons Aug 03 Revision: E. Labelle Oct 03</p> <table border="1"> <tr> <td data-bbox="820 1963 950 2026"> <p>DWG 18-5G</p> </td> <td data-bbox="950 1963 1088 2026"> <p>REV 2</p> </td> </tr> </table>	<p>DWG 18-5G</p>	<p>REV 2</p>	<p>Town of Banff Environmental Services</p>
<p>DWG 18-5G</p>	<p>REV 2</p>			



Traffic Bylaw
Schedule " G " RollerBlading
Restricted Areas

Drawn by: A. Cannons Jan 03
 Revision: E. Labelle Oct 03

DWG 16-5G	REV 2
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Town of Banff
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