

BYLAW NO: 2434

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to provide for the control and regulation of traffic.

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

Short Title

1. This Bylaw shall be called "The Traffic Bylaw" and shall be taken to apply within the limits of the City.

Definitions

2. In this Bylaw the definitions described in Section (1) of the Highway Traffic Act, Revised Statutes of Alberta 1980, c.H-7, as amended (hereinafter referred to as the Highway Traffic Act) shall apply to this Bylaw and in addition the following definitions shall apply:
 - (2.1) "Bus" means a motor vehicle designed for carrying more than 13 passengers that is used or intended to be used for the transportation of persons.
 - (2.2) "Bylaw Enforcement Officer" means any Police Officer, Special Constable or Bylaw Enforcement Officer of the City of Medicine Hat
 - (2.3) "Bus Stop" or "Bus Zone" means a designated portion of highway adjacent to the curb reserved exclusively for the loading and unloading of buses.
 - (2.4) "City" means the Municipal Corporation of the City of Medicine Hat or the area contained within the City boundaries as the context requires.
 - (2.5) Repealed.
 - (2.6) "Commercial Vehicle" means a motor vehicle designated or used for the carriage of goods, wares or merchandise and includes a vehicle within the meaning of the Highway Traffic Act.
 - (2.7) "Council" means the municipal council of the City, duly assembled and acting as such.
 - (2.8) "Cul-de-Sac" means local roads which are terminated at one end, with the provision for turning vehicles.
 - (2.9) "Curb" means the concrete or asphalt edge of a roadway or the division point between the roadway and boulevard or sidewalk.
 - (2.10) "Fuel" or "Oil" means fuel oil within the meaning of the Fuel Oil Administration Act, Revised Statutes of Alberta 1980 c. F-21, as amended (hereinafter referred to as the Fuel Oil Administration Act).

Amended by:
Bylaw 3085
April 22, 1997

- (2.11) "Hazardous Materials" means any explosive or toxic materials, such as dynamite, pressurized gases, gasoline and diesel fuel.
- (2.12) "Holiday" means and includes every Sunday, and any other day defined as a holiday in the Interpretation Act (Alberta) and any day or portion of a day proclaimed by the Mayor or by the Council of the City as a Civic Holiday.
- (2.12a) "Manager" means the person appointed to the position of General Manager of Municipal Works for the City of Medicine Hat;
- (2.13) "Maximum Gross Weight" means the maximum gross weight of a motor vehicle or combination of attached motor vehicles pursuant to the regulations under The Motor Transport Act R.S.A. 1980 Chapter M-20.
- (2.14) "Metered Space" means the portion of a highway or other parcel of land marked out for the accommodation of a vehicle and adjacent to which a parking meter has been installed.
- (2.15) "Parade" or "Procession" shall mean any group of pedestrians other than a military or funeral procession numbering more than fifty (50) and marching or walking on the highway or on the sidewalk or any group of vehicles other than a military or funeral procession and numbering ten (10) or more, or both.
- (2.16) "Parking Meter" means a mechanical device for the computation of time that a vehicle may be parked in a metered space.
- (2.17) "Ticket Controlled Space" means that portion of land owned or controlled by the City designated pursuant to this Bylaw for the accommodation of motor vehicles and on which a ticket dispenser or dispensers are installed.
- (2.18) "Ticket Dispenser" means an automatic or other mechanical meter or device erected, maintained or operated on any such land for the purpose of allotting and controlling parking spaces for vehicles by the dispensing of tickets or coupons to the drivers of vehicles parked or intended to be parked in any such parking space.
- (2.19) "Centimetre" means one one hundredth of a metre.

Amended by:
Bylaw 3085
April 22, 1997

Amended by:
Bylaw 2566
April 18, 1988

PART I STOPPING, STANDING, PARKING

- 3. No person shall park a motor vehicle in an alley unless he is actively engaged in:
 - (3.1) the loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes, or,
 - (3.2) the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes provided the vehicle described in subsection (3.1) or (3.2) does not obstruct the free passage of pedestrian and vehicular traffic through such alley.

4. No person shall stop a motor vehicle in a loading zone except:
 - (4.1) for a period not exceeding five (5) minutes for the purpose of and while actively engaged in loading or unloading passengers, or,
 - (4.2) for a period not exceeding thirty (30) minutes for the purpose of and while actively engaged in loading or unloading of merchandise or other materials.

Amended by: 5.
Bylaw 2759
Aug. 16, 1995

5. Repealed
6. No person shall park a trailer on a highway unless the trailer is attached to a motor vehicle by which it may be drawn except for loading or unloading of a holiday trailer for a period not exceeding twenty-four (24) hours.
7. No person who sells, repairs or services motor vehicles for compensation shall park or leave any such motor vehicle in his control on a highway.
8. No person shall leave any motor vehicle parked on a highway for a continuous period exceeding seventy-two (72) hours.
9. No person shall park a motor vehicle, other than a passenger vehicle, of a length together with any trailer attached thereto, greater than six (6) metres on any highway unless:

Amended by:
Bylaw 3085
April 22, 1997

- (9.1) such person is actively engaged in loading or unloading passengers, merchandise or personal effects.
 - (9.2) such parking is permitted by a sign, the erection of which is authorized by the Manager, or
 - (9.3) such parking is permitted under Section (24.2)
10. No person shall park a vehicle on private property without the express consent of the owner thereof or other person in charge of the property.
11. Notwithstanding any other provision of this Bylaw, the following classes of motor vehicles are exempt from parking prohibition:
 - (11.1) emergency vehicles
 - (11.2) public utility vehicles
 - (11.3) municipal or other government public works vehicles,
 - (11.4) towing service vehicles

while any such vehicle is being used in work requiring that it be stopped or parked in contravention of any such prohibition.

Amended by: 12.
Bylaw 2688
Aug. 20, 1990

12. A driver of a motor vehicle other than a City transit bus shall not stop or park a motor vehicle at a bus stop unless prior consent has been obtained from the Commissioner of Public Works.

- 13. No person shall leave a motor vehicle on a highway knowing that such highway has been cleared or is about to be cleared for the purpose of a parade, or for road maintenance, snow removal or street sweeping.
- 14. No person shall park a motor vehicle in such a way as to obstruct an emergency exit from any building or posted fire lane around a building.
- 15. No person shall unload a car carrier on a highway or publicly owned land unless such publicly owned land is designated for that purpose.

Amended by:
Bylaw 2916
Apr. 5, 1994

15A PARKING FOR PERSONS WITH DISABILITIES

- 15A.1 In this Section,
- (a) "permit" means a valid handicap placard or licence plate that is issued or recognized by the Solicitor General;
 - (b) "public property" means public property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles; and
 - (c) "private property" means private property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.

Amended by:
Bylaw 3085
April 22, 1997

- 15A.2 The Manager is hereby authorized to designate parking places on public property for the exclusive use of persons with disabilities who display a permit on their vehicles.

Amended by:
Bylaw 3085
April 22, 1997

- 15A.3 The Manager shall cause any parking place designated pursuant to subsection 15A.2 to be marked with a sign or other marking approved by the Manager.

- 15A.4 The owner, tenant, occupant or person in control of private property may designate any number of parking places on the property for the exclusive use of persons with disabilities who display a permit on their vehicles.

Amended by:
Bylaw 3085
April 22, 1997

- 15A.5 An owner, tenant, occupant or person in control of private property who designates a parking place pursuant to subsection 15A.4 shall cause the parking place to be marked with a sign or other marking approved by the Manager or similar to that approved by the Manager.

Amended by:
Bylaw 3085
April 22, 1997

- 15A.6 A parking place that prior to the coming into force of this Section has been marked by a sign or other marking as being a parking place for the exclusive use of persons with disabilities who display a permit on their vehicles shall be deemed to be a parking place designated pursuant to subsection 15A.2 or 15A.4, provided that the sign or other marking is in a form approved by the Manager or similar to that approved by the Manager.

- 15A.7 No person shall stop or park a vehicle in a parking place designated pursuant to this Section unless:
- (a) a permit is displayed on the vehicle, and
 - (b) the vehicle is operated by, or is being used to transport, a person with a disability.

16. MUNICIPAL PUBLIC PARKING

- (16.1) No person shall park any motor vehicle upon any City owned or leased land designated as a Municipal Public Parking area and for which parking tickets are required to be purchased by means of a ticket dispenser or by any other means, unless such person shall comply with all conditions and restrictions posted by sign or signs on the said area or printed on the said ticket.
- (16.2) No person shall park any motor vehicle upon land designated as a Municipal Public Parking area in such a manner as to occupy more space than such a motor vehicle should normally occupy if parked properly in a parallel position to the motor vehicles that may be parked on either side of the said motor vehicle.
- (16.3) No person shall park any motor vehicle in excess of six (6) metres in length on any Municipal Public Parking area unless in a portion of that Municipal Public Parking area so designed by signs as being reserved for motor vehicles in excess of six (6) metres.

17. No person shall park any motor vehicle in such a manner as to block, obstruct, impede or hinder the access or egress of any other vehicle.

18. SIGNS

- (18.1) Where a sign restricts the parking of motor vehicles it shall be an offence to park a motor vehicle in excess of the time so designated and marked on the sign.
- (18.2) If, after the issuance of a traffic tag concerning a first violation of subsection 18.1 hereof, a person allows the motor vehicle to be parked for further periods of time in excess of that permitted on the sign, then a second and additional offence shall be deemed to have occurred.

Amended by:
Bylaw 3481
Apr. 8, 2003

- (18.3) An employee or an agent of the City may place or cause to be placed on or near a highway, a moveable sign or signs which identify parking restrictions but which do not specify a time period for such parking restrictions.

Amended by:
Bylaw 3481
Apr. 8, 2003

- (18.4) No person shall leave or permit to be left, a vehicle parked in contravention of the parking restrictions identified on a sign or signs placed on or near a highway pursuant to subsection (18.3), after the expiration of twelve (12) hours from the time the sign or signs have been put in place.

Amended by:
Bylaw 3481
Apr. 8, 2003

- (18.5) No person shall park or permit to be parked, a vehicle in contravention of the parking restrictions identified on a sign or signs placed on or near a highway pursuant to subsection (18.3), after the expiration of twelve (12) hours from the time the sign or signs have been put in place.

Amended by:
Bylaw 3481
Apr. 8, 2003

- (18.6) No person shall move or otherwise disturb a sign placed on or near a highway pursuant to subsection (18.3).

19. Notwithstanding the provisions of the Highway Traffic Act, a motor vehicle may be parked at an angle to the curb in a cul-de-sac provided that the vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.

Amended by:
Bylaw 3953
Oct. 20, 2009
Amended by:
Bylaw 3953
Oct. 20, 2009

- (a) Subject to paragraph (b), a motor vehicle may be parked at an angle to the curb in a cul-de-sac provided that the vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.
- (b) Angle parking in a cul-de-sac is prohibited between 6:00 a.m. and 6:00 p.m. on any day the City collects Residential Waste or Yard Waste from that cul-de-sac in accordance with Bylaw No. 1805.

Amended by:
Bylaw 3953
Oct. 20, 2009

- 19.1 No person shall park a vehicle in front of or next to a Residential Waste Cart or Yard Waste Cart in such a manner as to obstruct Automated Collection of Residential Waste or Yard Waste by the City pursuant to Bylaw No. 1805.

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

21. No person shall park or permit to be parked a motor vehicle other than:

(21.1) a private passenger type of motor vehicle; or,

(21.2) a truck rated as being or not more than 4000 Kilograms gross vehicle weight; or,

(21.3) a bus operated by a school or church:

on the side of a highway abutting property which is used as a park, playground, a school site, a church or other place of public worship, between the hours of eight o'clock in the evening and eight o'clock in the morning of the following day or at any time on a holiday.

22. In order to determine the time which a motor vehicle has been parked in a location where parking is restricted to a specific time a police officer or other person charged with the enforcement of parking prohibitions and restrictions may place an erasable chalk mark on the tread face of the tire of a parked or stopped motor vehicle without such police officer or other person or the City incurring any liability for so doing.

PART II PARKING METERS

23. PERMITTED TIME

(23.1) Unless specifically permitted by the other provisions of this Bylaw no person shall allow a vehicle to remain parked in a metered space for a period of time in excess of the maximum permitted time indicated on either the meter or on the parking signs pertaining to that space, regardless of whether or not there has been a violation of any other provision of this Bylaw. A further offence shall be deemed to have occurred for each subsequent period of time, in excess of that permitted by either the meter or the parking signs that the vehicle remains so parked.

- (23.2) The driver of any vehicle parked in a metered space shall immediately, after parking his vehicle in such metered space deposit or cause to be deposited in the parking meter adjacent to such metered space a coin or coins of Canada sufficient to cover the period for which he intends to park in accordance with the instructions shown on the parking meter and shall turn the handle of the meter in accordance with the instruction shown thereon. Upon deposit of such coin or coins and the turning of the handle on the parking meter the operator shall be entitled, subject to any restrictions indicated by applicable traffic signs or markings, to park his vehicle in the metered space for a period indicated on the parking meter.
- (23.3) No person shall allow a vehicle or any part thereof to remain for any period of time in a metered space while the parking meter adjacent to the metered space shows a "violation" or "time expired" flag.
- (23.4) Subsection (23.1) does not apply between the hours of 6 p.m. on any evening and 9 a.m. of the following morning or on any holiday.

24. METERED SPACE

- (24.1) Unless the Highway Traffic Act or another provision of this Bylaw otherwise permits, when parking a motor vehicle in a metered space the operator of the motor vehicle shall so park it that:
- (a) it is wholly within the metered space and does not cross any painted line marking out such space,
 - (b) in the absence of painted lines, the front or rear bumper is as close as possible to the meter governing such space.
- (24.2) Where a motor vehicle or the combination of a motor vehicle and a holiday trailer exceeds the length of a single metered space, the operator may park such motor vehicle or such combination of motor vehicle and holiday trailer so that it occupies two but not more than two spaces.

25. EXEMPTIONS

- (25.1) Council may, as it deems fit by resolution, exempt any class of motor vehicles from the provisions of this Bylaw relating to stopping or parking under such conditions as Council may impose and may provide for the identification of the motor vehicles so exempted.
- (25.2) No person shall display any card or sticker or other device identifying a motor vehicle as purporting to be exempted pursuant to subsection (25.1) of this Bylaw unless the same has been authorized by Council.

26. PERMITS

- (26.1) The Chief of Police in his discretion may issue permits to such motor vehicles bearing licence plates from the Province of Alberta indicating that they are commercial motor vehicles as seems just and fit to Council allowing them in consideration of the fee payable under subsection (26.3) to use parking meter spaces without depositing coins in the meters.
- (26.2) The owner or operator of the motor vehicle to which such a permit is issued

shall affix to the front windshield of the motor vehicle or such other space as the Chief of Police shall approve a sticker indicating that the motor vehicle may be parked in a metered space without depositing a coin therein.

(26.3) The fee payable for a permit issued pursuant to subsection (26.1) shall be one hundred dollars (\$100.00) per year for each permit so issued.

27. Where a metered space is hooded for the benefit of a person other than for a purpose required by the City the person for whose benefit it is hooded shall pay a fee of five dollars (\$5.00) per day or part of a day for each day other than a statutory holiday that the meter is required to be hooded plus a ten dollar (\$10.00) deposit.

28. When a parking meter head has been covered with a hood by or pursuant to the instructions of a Bylaw Enforcement Officer, such hood is deemed to be a traffic control device.

PART III OPERATION OF A VEHICLE

29. No person shall drive a vehicle over an unprotected fire hose.

30. No person shall drive a motor vehicle by which a second vehicle is being towed unless the tow rope, cable or chain does not exceed 3.5m in length.

Amended by: 31.
Bylaw 3085
April 22, 1997

Repealed.

Amended by: 32.
Bylaw 3245
Sept. 8, 1999

Maximum Speeds

- (a) in excess of 50 kilometres per hour, and
- (b) of less than 50 kilometers per hour

are prescribed for highways in the City as indicated on Schedule "C" to this Bylaw.

33. Notwithstanding the direction of a traffic control device no one shall drive a vehicle into an intersection unless the condition of traffic in and adjacent to the intersection is such that he may drive through the intersection without impeding the passage of other vehicles or pedestrians on the highway.

34. No person shall drive a vehicle in an alley at a speed greater than twenty (20) kilometres per hour.

35. OVERTAKING

(35.1) Notwithstanding any other Section of this Bylaw where a bus is stopped at or has approached to within ten (10) metres of an intersection unless the bus has signalled that it is to make a left turn a driver of a vehicle travelling in the same direction shall not overtake or pass or attempt to overtake or pass to the right of such bus on a highway in which traffic is proceeding in two directions.

(35.2) On a one-way highway if a bus is signalling that it intends:

- (a) to make a left turn no driver of another vehicle shall overtake or pass or attempt to pass on the left of such bus, and
- (b) to make a right turn, no driver of another vehicle shall pass to the right of a bus.

36. PARADES/PROCESSIONS

- (36.1) A driver of a motor vehicle in the lead of a funeral procession approaching an intersection where a stop sign or traffic control device is posted requiring the motor vehicle to stop, shall stop the motor vehicle as required by the Highway Traffic Act and shall not drive the motor vehicle into the intersection until it is safe to do so. Motor Vehicles that follow in the funeral procession may then proceed through the intersection without stopping subject to the direction of a Bylaw Enforcement Officer.
- (36.2) A motor vehicle in a funeral procession, other than the lead motor vehicle, may during daylight hours enter an intersection without stopping if:
- (a) the headlamps of the motor vehicle are alight,
 - (b) the motor vehicle is travelling immediately behind the motor vehicle in front of it so to form a continuous line of traffic, and
 - (c) the passage into the intersection can be made in safety.
- (36.3) No driver shall:
- (a) break through the ranks of a military or funeral procession, or,
 - (b) break through the ranks of any other authorized parade or procession.

PART IV PEDESTRIANS

37. No person shall cross, other than on a crosswalk, a roadway on a bridge or in a subway or within one block in any direction on the approach to a bridge or subway.
38. No pedestrian shall obstruct the lawful use of the highway.
39. A pedestrian shall walk to the right of the centre line of crosswalk or sidewalk when another pedestrian is approaching from the opposite direction unless it is impractical to do so.

PART V BICYCLES AND MOTORCYCLES

40. A person travelling upon any sled, toboggan, skis, roller skates, or any toy vehicle, tricycle, bicycle or similar device shall not cling to or attach himself or his conveyance to any motor vehicle upon a highway.
41. No one shall leave a two wheeled vehicle on a highway other than at the curb or edge of the roadway other than in an upright position.
42. In addition to any other penalty where a person is convicted of an offence contrary to a provision of this bylaw, the Court may order the impounding of the bicycle for a period not exceeding thirty (30) days.

- Amended by: 43. No person shall ride a cycle on any sidewalk except where expressly permitted by a traffic control device. Children's bicycles or tricycles having a wheel diameter of less than fifty (50) centimetres are excepted from this provision.
- Bylaw 3996
July 20, 2010

PART VI HEAVY TRUCK ROUTES

44. For the purpose of sections 44 to 51:

Amended by:
Bylaw 3601
May 17, 2005

(44.1) "heavy truck" means a motor vehicle with a gross weight of 6500 Kilograms or more, or exceeding eleven (11) metres in length.

Amended by:
Bylaw 3601
May 17, 2005

(44.2) "heavy truck route" means the heavy truck route and areas included in the heavy truck route, shown and described in Schedule "B" of this bylaw.

Amended by:
Bylaw 3601
May 17, 2005

(44.3) "restricted heavy truck route" means the restricted heavy truck route shown and described in Schedule "B" of this bylaw.

Amended by:
Bylaw 3601
May 17, 2005

(44.4) Repealed.

45. OPERATION OF HEAVY TRUCKS

Amended by:
Bylaw 3642
Sept. 20, 2005
Bylaw 4046
July 19, 2011

(45.1) No person shall operate a heavy truck on a roadway other than a heavy truck route or restricted heavy truck route.

(45.2) No person shall operate a heavy truck on the restricted heavy truck route between the hours of 11:00 p.m. and 7:00 a.m.

Amended by:
Bylaw 3601
May 17, 2005

(45.3) Repealed.

Amended by:
Bylaw 2484
June 10, 1986

(45.4) Repealed.

Amended by:
Bylaw 4046
July 19, 2011

(45.5) Notwithstanding any other provision in this Bylaw relating to the parking of motor vehicles no person shall park a heavy truck on any highway unless:

- (a) such person is actively engaged in loading or unloading goods or merchandise at the premises of a bona fide customer and the heavy truck is moved from the location promptly after the loading or unloading has occurred; or
- (b) such parking is permitted by a sign, the erection of which is authorized by the Manager.

46.

Amended by:
Bylaw 3601
May 17, 2005

(46.1) The following persons shall not be deemed to be operating a motor vehicle in contravention of section (45.1) if the heavy truck was being operated on the most direct route between the following premises or locations and the nearest heavy truck route or restricted heavy truck route:

- (a) A person delivering or collecting goods or merchandise to or from the premises of a bona fide customer.
- (b) A person going to or from a storage depot for the heavy truck in respect to which a development permit has been issued.

- (c) A person moving a building from one location to another, for which all necessary permits have been issued by the City.
- (d) A person going to or from premises for the servicing or repairing of the heavy truck.
- (e) A person pulling a disabled motor vehicle from a roadway other than a heavy truck route or restricted heavy truck route.

(46.2) The following shall not be deemed to be in contravention of Section 45:

- (a) Persons driving a public passenger motor vehicle.
- (b) Persons driving a motor vehicle owned by or actually in the service of the City.
- (c) Persons driving a private passenger vehicle.

Amended by:
Bylaw 3601
May 17, 2005

Amended by: 47. Repealed.
Bylaw 3601
May 17, 2005

Amended by: 48. No person shall operate an engine brake within the City limits.
Bylaw 2484
June 10, 1986

49.

Amended by: (49.1) Unless he has first obtained a permit as provided in subsection (49.6), a
Bylaw 4046 person shall not drive or have on the roadway a motor vehicle or combination
July 19, 2011 of attached motor vehicles with a weight in excess of that allowed by
Provincial Regulations.

Amended by: (a) Notwithstanding any other provision of this Bylaw, no person shall drive
Bylaw 2566 or have on a highway a motor vehicle or combination of attached motor
Apr. 18, 1988 vehicles with a gross weight in excess of the maximum gross weight
for the motor vehicle or combination of attached motor vehicles without
first having obtained a permit pursuant to subsection 49(6).

- (b) Notwithstanding any other provision of this Bylaw, no person shall drive or have on a bridge or overpass other than the bridges or overpasses listed below, a motor vehicle or combination of attached motor vehicles with a gross weight in excess of 54 tonnes:
 - All bridges or overpasses on the Trans Canada Highway with the exception of the Trans Canada Highway Westbound - South Saskatchewan River Bridge;
 - The Dunmore Road - Seven Persons Creek Bridge; and
 - The bridge crossing Bullshead Creek on the S.E. ¼ 16-12-5-W4M.

Amended by: (c) Notwithstanding any other provision of this Bylaw, no person shall drive
Bylaw 4046 or have on the Finlay Bridge a motor vehicle or combination of
July 19, 2011 attached motor vehicles with a gross weight in excess of 15 tonnes.

Amended by: (49.2) Wherever in his opinion, there is a contravention of subsection (49.1), a Bylaw
Bylaw 2566 Enforcement Officer may order the driver or other person in charge or control
Apr. 18, 1988 of a motor vehicle or combination of attached motor vehicles suspected of
being on a highway in contravention of such subsection, to take such motor
vehicle or combination of attached motor vehicles to the nearest adequate
weigh scale to determine the gross weight of such motor vehicle or
combination of attached motor vehicles. The weight slip or slips shall be given
to the Bylaw Enforcement Officer and may be retained by him, and if the gross

weight of the motor vehicle or combination of attached motor vehicles is in excess of the maximum gross weight for the motor vehicle or combination of attached motor vehicles, the Bylaw Enforcement Officer, in addition to any prosecution for contravention of subsection (49.1), may require that any load or portion thereof in excess of maximum gross weight for the motor vehicle or combination of attached motor vehicles shall be removed before the motor vehicle or combination of attached motor vehicles is again taken upon a highway.

(49.3) A weight slip given to a Bylaw Enforcement Officer under subsection (49.2) and submitted by him in evidence in court shall be prima facie proof of the authenticity of the weight slip and of the particulars thereon submitted in evidence, and of the accuracy of the weight scale used.

Amended by:
Bylaw 2566
Apr. 18, 1988

(49.4) A person driving or in charge or control of a motor vehicle or combination of attached motor vehicles suspected by a Bylaw Enforcement Officer of being on a highway in contravention of subsection (49.1) shall, when requested by the Bylaw Enforcement Officer, produce for such officer's inspection any official registration certificate or interim registration certificate for such motor vehicle or combination of attached motor vehicles that may have been issued by the Government of the Province of Alberta.

(49.5) Particulars obtained by a Bylaw Enforcement Officer from a registration certificate produced to him under subsection (49.4) and submitted by him as evidence in court shall be prima facie proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.

Amended by:
Bylaw 2566
Apr. 18, 1988

(49.6) Subject to clauses 49(1)(b) and (c), a person may apply to the Chief of Police for a permit to allow on a highway a motor vehicle or combinations of attached motor vehicles with a gross weight in excess of maximum gross weight for the motor vehicle for combination of attached motor vehicles. The Chief of Police may grant such a permit for such periods as he may set out therein or refuse to grant a permit, and from any such refusal there shall be an appeal to the Council of the City.

PART VII RESTRICTIONS ON DIMENSIONS OF VEHICLES

50.

(50.1) Except as otherwise provided in subsection (50.3), or unless he has first obtained a permit as provided in subsection (50.2), a person shall not drive or have on a roadway a motor vehicle or combination of attached motor vehicles with any dimension, either including or excluding any load thereon, greater than the following:

- (a) width - two metres sixty centimetres (2.60m)
- (b) height from road surface - four metres fifteen centimetres (4.15m)
- (c) length (total length of motor vehicle, or combination of attached motor vehicle) twenty three (23) metres

(50.2) Notwithstanding the provisions of subsection (50.1) upon receiving permission from the Chief of Police and subject to the owner of the motor vehicle assuming the full responsibility for damage to his own motor vehicle, property or cargo as well as any damage to underpasses, bridges, telephone, telegraph

or power wires or any overhead structure a person may drive on a public thoroughfare a motor vehicle which is not more than four metres fifteen centimetres (4.15m) in height from the pavement or road.

- (50.3) The maximum width of two metres sixty centimetres (2.60m) referred to in subsection (50.1) does not apply to buses, mobile homes or house trailers, any of which type of motor vehicles may have a maximum width not in excess of three metres five centimetres (3.05m) and be used on a roadway without a permit.
- (50.4) Notwithstanding subsections (50.1), (50.2) and (50.3) a person may apply to the Chief of Police or his Agent for a permit to allow on a public thoroughfare in the City, a motor vehicle or combination of attached motor vehicles with one dimension or more in excess of the maximum dimensions referred to in subsection (50.1) or (50.3) of this Section and the Chief of Police or his Agent may:
- (a) grant a permit for such purpose and for such periods as he may set out therein,
 - (b) refuse to grant such a permit but the person applying for the permit may appeal from such refusal to the Council of the City.

PART VIII OBSTRUCTION TO VISION

51.

- (51.1) The restricted area of property located at the intersection of two highways shall mean that part of property owned or occupied by a person which lies within the triangle formed by measuring from the top of the triangle nine (9) metres along the prolongation of the two curb lines alongside his property to the base of the triangle.
- (51.2) A person shall not permit any hedge or shrub in the restricted area, whether such hedge or shrub was planted prior to or is planted after the date of the passing of this Bylaw, to grow or remain at a height greater than ninety (90) centimetres above the established elevation of the intersection of the centre lines of the intersecting roadways.
In the case of trees growing in the restricted area, whether planted before or after the passing of this Bylaw, the owner or occupant shall trim said trees in such a way that no branches or foliage of said trees shall be at a lesser height than one metre eighty centimetres (1.8m) above the established elevation of the intersection of the centre lines of the intersecting roadways.
- (51.3) If a person is directed by a Bylaw Enforcement Officer to trim any hedge, shrub or tree to the measurements specified in subsection (51.2) and fails to carry out such direction within seven days of receipt of such direction, the City may remove any such hedge, tree or shrub or trim it to the required height, and if the cost of such work is not paid on demand by the owner or occupant of the property in question, the City may recover the expense of such work, with costs by action in any court of competent jurisdiction, or may charge the expense of the work as taxes against such property.
- (51.4) A person shall not build, place, erect or allow to continue in existence a fence, wall or structure other than a building in the restricted area to a height greater

than ninety (90) centimetres above the established elevation of the intersection of the centre lines of the intersecting roadways.

- (51.5) If contrary to the provisions of subsection (51.4) any such fence, wall or structure other than a building, is erected beyond the maximum height allowed by the said subsection a Bylaw Enforcement Officer may order the person who built, placed, erected or who is responsible for the continuing existence of the fence, wall or other object to remove the same and if the same is built, placed, or erected subsequently to the passing of this bylaw, the person responsible therefor shall forthwith at his own expense remove or reduce the height of the fence, wall or structure other than a building, to within the maximum height allowed by subsection (51.4) and if the person responsible for the same neglects or refuses to reduce the height thereof or remove it the City may proceed to reduce the height as required and may charge the cost thereof to the person on whose land the said fence, wall or structure other than a building, exists.
- (51.6) If a fence, wall or structure other than a building which contravenes the restriction contained in subsection 51.4 hereof was erected prior to the passing of this bylaw then the City may cause the same to be reduced in height or may remove it at the sole expense of the City.
- (51.7) No person shall park a motor vehicle in the restricted area.
- (51.8) No person shall store lumber or other material in the restricted area to a height greater than ninety (90) centimetres above the established elevation of the intersection of the centre lines of the intersecting roadways.

Amended by: PART IX
Bylaw 2759
Aug. 16, 1995

FUEL OIL TANK TRUCK
Section Repealed.

PART X POWERS OF BYLAW ENFORCEMENT OFFICERS

58. VIOLATION TAGS

Amended by:
Bylaw 3642
Sept. 20, 2005

- (58.1) If a Bylaw Enforcement Officer forms the opinion on reasonable and probable grounds that a person has committed an offence consisting of a breach of any provision of this Bylaw listed in Schedule "A.1" attached hereto and forming part of this Bylaw, then subject to the provisions of Section 61 the Bylaw Enforcement Officer may serve upon the person a violation tag in such form as may be prescribed from time to time by the Chief of Police.
- (58.2) Service of any violation tag under Section (58.1) shall be sufficient if the violation tag is:
 - (a) personally served;
 - (b) served by double registered mail; or
 - (c) attached to the vehicle in respect of which the offence is alleged to have occurred, in which case the violation tag need not specify the name of the person alleged to have committed the offence if the vehicle is described on the violation tag by license plate number.

(58.3) The Chief of Police may authorize a person other than a Bylaw Enforcement Officer to issue and serve a violation tag in respect of any alleged offence listed in Schedule "A.1", and in such case all the provisions of this Bylaw relating to violation tags shall apply mutatis mutandis as though the violation tag had been issued and served by a Bylaw Enforcement Officer.

(58.4) A violation tag placed upon or affixed to a vehicle pursuant to the provisions of this Section shall not be removed from the vehicle by anyone other than a Bylaw Enforcement Officer or a person lawfully entitled to possession of the vehicle.

PART XI - PAYMENTS

59. REDUCED PENALTIES FOR PROMPT PAYMENT

Amended by:
Bylaw 3642
Sept. 20, 2005

(59.1) Subject to the provisions of Section 59.2 and 59.6, upon issuance and service of a violation tag under Section 58 the amount the City will accept as payment for the alleged offence shall be \$50.00, and upon payment to a person authorized by the Chief of Police to receive such payment there shall be issued an official receipt therefor and such payment shall be accepted in lieu of prosecution for the alleged offence.

Amended by:
Bylaw 3642
Sept. 20, 2005

(59.2) Subject to subsection 59.6, where payment is tendered within 7 days from the date of service of any violation tag issued and served under section 58 for an alleged offence listed in Schedule "A.1", to a person authorized by the Chief of Police to receive such payment, the payment set out in Section (59.1) shall be reduced to \$25.00 and such reduced payment shall be accepted in lieu of prosecution."

Amended by:
Bylaw 3642
Sept. 20, 2005

(59.3) Repealed.

Amended by:
Bylaw 3642
Sept. 20, 2005

(59.4) Repealed.

Amended by:
Bylaw 3642
Sept. 20, 2005

(59.5) Nothing in this Bylaw shall be read or construed as:
(a) preventing any person from exercising his right to defend an allegation that he has committed an offence listed in Schedules "A.1" or "A.3"; or
(b) preventing any Bylaw Enforcement Officer from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation tag may be issued.

Amended by:
Bylaw 2916
Apr. 5, 1994
Amended by:
Bylaw 3258
Dec. 7, 1999

(59.6) Notwithstanding any other provision in this Section:
(a) Upon issuance and service of a violation tag under Section 58 the offence amount the City will accept as payment for an alleged pursuant to Section 15A shall be \$100.00; and

Amended by:
Bylaw 3642
Sept. 20, 2005

- (b) A payment for an alleged offence under Section 10 or Section 15A shall not be reduced pursuant to Subsection 59.2.

Amended by: 60.
Bylaw 2916
Apr. 5, 1994

SPECIFIED PENALTIES

If a summons or offence notice under Part 2 or Part 3 of the Provincial Offences Procedure Act R.S.A. 1980 c. P-21.5 is issued in respect of an alleged contravention of a provision of this Bylaw, the specified penalty payable upon conviction in a court of competent jurisdiction shall be:

- (a) the amount set out in Schedule "A.3" in the case of any offence listed in that Schedule;
- (b) \$100.00 in the case of an offence pursuant to Section 15A; or
- (c) \$50.00 for any other offence under this Bylaw.

Amended by:
Bylaw 3258
Dec. 7, 1999
Amended by:
Bylaw 3642
Sept. 20, 2005

Amended by: 61.
Bylaw 2688
Aug. 20, 1990

REMOVAL AND IMPOUNDMENT OF VEHICLES

- (61.1) If a Bylaw Enforcement Officer forms the opinion on reasonable and probable grounds that a vehicle is parked in contravention of any provision of this Bylaw, the Bylaw Enforcement Officer may cause the vehicle to be removed to a place of impoundment designated for that purpose by the Chief of Police and the vehicle shall there remain impounded until it is claimed by the owner or his agent.
- (61.2) When a vehicle is removed and impounded under Section (61.1) the registered owner or other person alleged to have committed the parking offence shall be served with a summons or offence notice under the Provincial Offences Procedure Act in respect of the alleged offence, as soon as practicable after the removal and impoundment of the vehicle.
- (61.3) A vehicle impounded under Section (61.1) shall remain impounded, notwithstanding that it may have been claimed by the owner or his agent, until:
 - (a) all towing and storage charges in respect of removal and impoundment of the vehicle, as set out in Schedule "A.4" attached hereto and forming part of this Bylaw, have been paid in full; or
 - (b) the charge or charges set out in the summons or offence notice referred to in Section (61.2) have been fully and finally disposed of without having resulted in a finding of guilt or a conviction.

GENERAL

Amended by: 62.
Bylaw 2916
Apr. 5, 1994

A Bylaw Enforcement Officer or a person authorized under Subsection 58.3 may enforce the provisions of this Bylaw without the Bylaw Enforcement Officer or person authorized under Subsection 58.3, the owner of the property on which an alleged offence has occurred under the provisions of this Bylaw or the City incurring liability for doing so.

- Amended by: 63. It is the intention of Council that each separate provision of this bylaw shall be deemed to be independent of all other provisions and it is further the intention of the Council that if any provision of this bylaw be declared invalid all other provisions shall remain valid and enforceable.
Bylaw 2916
Apr. 5, 1994
- Amended by: 64. Should a provision of this Bylaw conflict with a provision of any other bylaw of the City, the provisions of this Bylaw shall prevail.
Bylaw 2916
Apr. 5, 1994
- Amended by: 65. Bylaws No. 1544, No. 1666, No. 1734 and No. 1714 together with all amendments thereto are hereby repealed as of the effective date of this bylaw.
Bylaw 2916
Apr. 5, 1994
- Amended by: 66. This Bylaw shall take effect on the 1st day of January A.D., 1986.
Bylaw 2916
Apr. 5, 1994

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED in Open Council this 2nd day of December A.D., 1985

I HEREBY CERTIFY that this is a true and correct copy of Bylaw No. 2434 consolidated pursuant to Section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said Section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS _____ DAY OF _____, 20____.

DAVID S. LEFLAR
MUNICIPAL SECRETARY AND CITY CLERK
CITY OF MEDICINE HAT

SCHEDULE "A.1" TO BYLAW NO. 2434
AS AMENDED BY BYLAW 3482
APRIL 8, 2003

<u>Section</u>	<u>Offence</u>
3	Parking in an alley other than as and when specifically permitted
4	Parking in a loading zone other than as and when specifically permitted
6	Parking trailer on a highway for a period exceeding 24 hours
7	Parking motor vehicle that is for sale, or is being repaired or serviced, on a highway
8	Parking on a highway for a continuous period exceeding 72 hours
9	Parking motor vehicle of a length greater than 6 metres, including any trailer attached, on a highway other than as and when specifically permitted
10	Parking on private property without consent of the property owner
12	Parking at a bus stop without permission of Commissioner of Public Works
13	Parking on a highway knowing it is about to be cleared for a parade, road maintenance, snow removal or street sweeping
14	Parking in such manner as to obstruct emergency exit or posted fire lane
15A	Parking or stopping in a parking place designated for the exclusive use of persons with disabilities
16	Municipal Public Parking Violations
18.1	Parking in excess of the time allowed on a sign
18.2	After the issuance of a tag, parking in excess of the time allowed on a sign
18.4	Leaving or permitting to be left, a vehicle parked in contravention of a sign or signs after the expiration of twelve (12) hours from the time the sign or signs were put in place.
18.5	Parking or permitting to be parked, a vehicle in contravention of a sign or signs after the expiration of twelve (12) hours from the time the sign or signs were put in place.
18.6	Moving or otherwise disturbing a sign
21	Parking on highway abutting park, playground, school or church between hours of 8:00 o'clock p.m. and 8:00 o'clock a.m., or on holiday
23	Parking in metered space in excess of time permitted
24	Parking a vehicle wholly or partly outside of metered space
25	Displaying any card or sticker or other device identifying a motor vehicle as purporting to be exempted from parking restrictions of this Bylaw, without lawful authorization to display such card, sticker or other device
28	Parking in metered space when parking meter is hooded

NOTE: Schedule "A.2" to Bylaw No. 2434 was Repealed by Bylaw #3642, September 20, 2005

**SCHEDULE "A.3" TO BYLAW NO. 2434
AS AMENDED BY BYLAW 4046
JULY 19, 2011**

<u>Section</u>	<u>Offence</u>	<u>Specified Penalty</u>
29	Driving over a fire hose	\$200.00
34	Speeding in alley	\$100.00
36.3 (a) & (b)	Breaking through ranks of Funeral or Military Procession	\$100.00
45	Operating a heavy truck on a roadway other than a heavy truck route or restricted heavy truck route or parking a heavy truck other than as specifically permitted	\$500.00
48	Operating engine brakes	\$250.00
49.1	Operating overweight vehicles other than as and when specifically permitted	\$500.00

**SCHEDULE "A.4" TO BYLAW NO. 2434
AS AMENDED BY BYLAW 2688
AUGUST 20, 1990**

TOWING AND STORAGE CHARGES

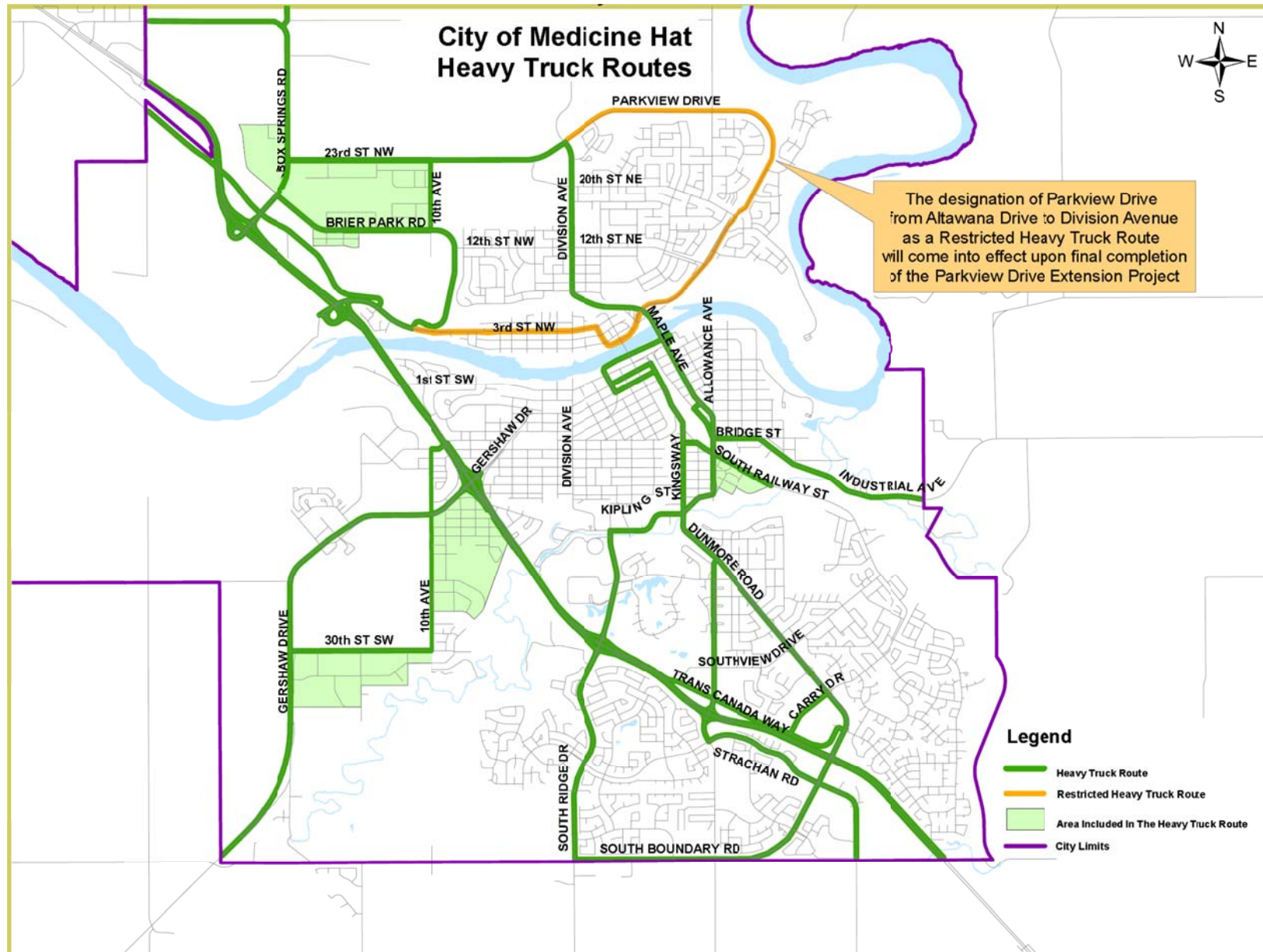
1. There shall be a charge of \$35.00 payable for each vehicle towed to a place of impoundment pursuant to the provisions of Section 61.
2. There shall be a charge of \$5.00 payable for each day or portion thereof that a vehicle impounded pursuant to the provisions of Section 61 remains impounded.

**NOTE: Schedule "C" - Repealed and Replaced by Bylaw 3245, September 8, 1999 –
"Maximum Speeds"**

Schedule "D" – Repealed by Bylaw #2759, August 16, 1995

SCHEDULE B TO BYLAW 2434

AS AMENDED BY BYLAW 4085 – NOVEMBER 8, 2011



Heavy Truck Routes

In the event of a discrepancy between the text and the map, the text governs.

Route	From	To
1 Street SE	East of Maple Avenue	River Road SE
2 Street SE	South Railway Street	4 Avenue SE
3 Street NW	Trans Canada Highway	Brier Park Road
3 Street SE	4 Avenue SE	South Railway Street
4 Avenue SE	River Road	3 Street SE
6 Street SE	South Railway Street	Kingsway Avenue
7 Street SW	Trans Canada Highway	10 Avenue SW
10 Avenue NW	23 Street NW	Brier Park Road
10 Avenue SW	7 Street SW	30 Street SW
13 Avenue SE	Strachan Road	Dunmore Road
23 Street NW	Division Avenue N	Box Springs Road
30 Street SW	Gershaw Drive	10 Avenue SW
Allowance Avenue	Spencer Street	Pingle Street
Altawana Drive	1 Street SE	7 Street NW
Box Springs Road	Trans Canada Highway	North City Limits
Bridge Street	North Railway Street	Industrial Avenue
Brier Park Road	3 Street NW	Box Springs Road
Broadway Avenue	Box Springs Road	West City Limits
Carry Drive	Dunmore Road	Trans Canada Way
College Avenue	Trans Canada Highway	Kipling Street
Divison Avenue N	7 Street NW	23 Street NW
Dunmore Road	Trans Canada Highway	Spencer Street
Gershaw Drive	Trans Canada Highway	West City Limits
Industrial Avenue	Bridge Street	East City Limits
Kingsway Avenue	Spencer Street	South Railway Street
Kipling Street	College Avenue	Spencer Street
Maple Avenue	Pingle Street	1 Street SE
North Railway Street	Prince Street	Bridge Street
Prince Street	Maple Avenue	North Railway Street
River Road SE	1 Street SE	4 Avenue SE
Saamis Drive	3 Street NW	West City Limits
South Boundary Road	Trans Canada Highway	South Ridge Drive
South Railway Street	Factory Street	6 Street SE
South Railway Street	Kingsway Avenue	2 Street SE
South Ridge Drive	Trans Canada Highway	South Boundary Road
Spencer Street	Kipling Street	Allowance Avenue
Strachan Road	South City Limits	13 Avenue SE
Trans Canada Highway	South City Limits	West City Limits
Trans Canada Way	Dunmore Road	College Avenue

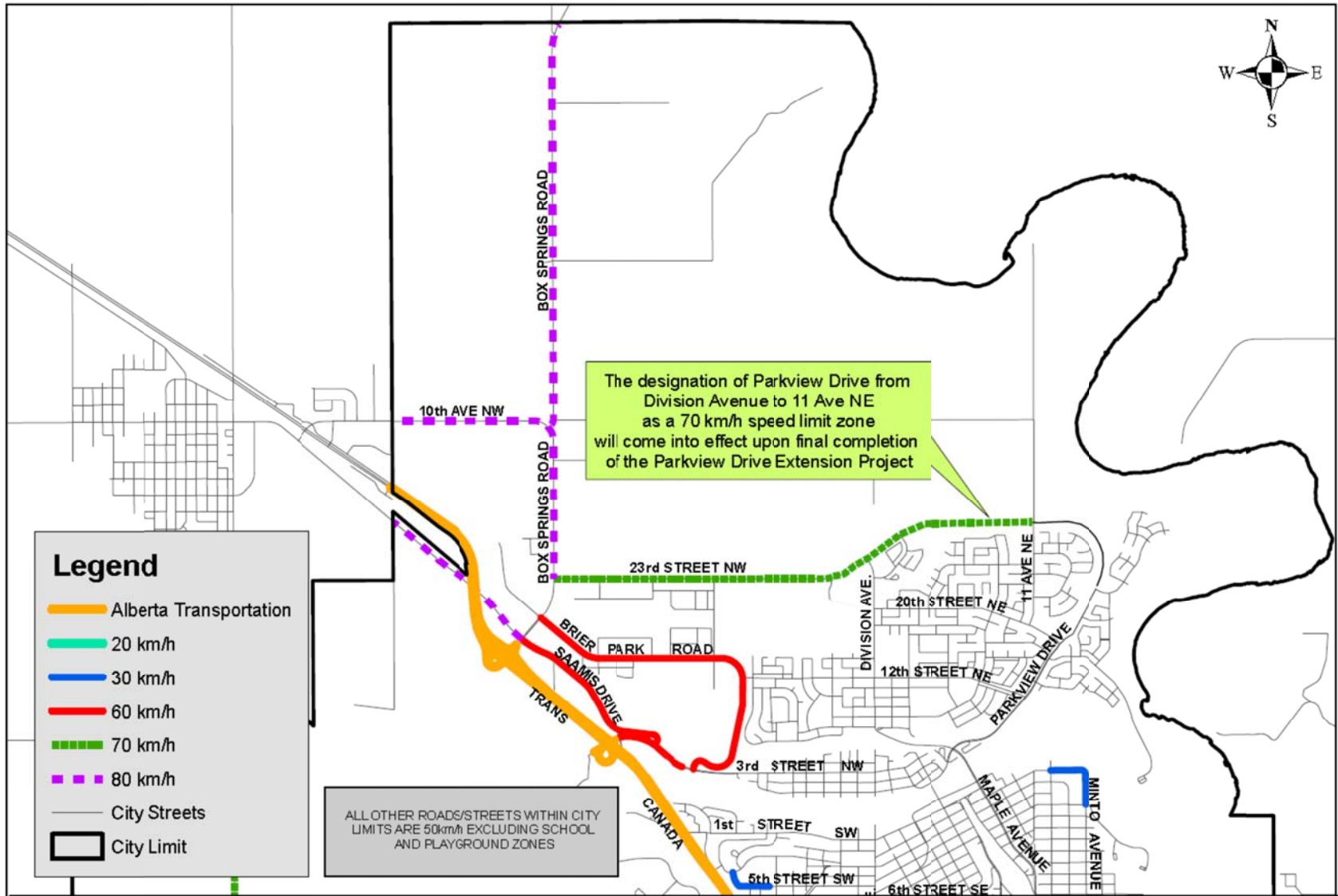
Restricted Heavy Truck Routes

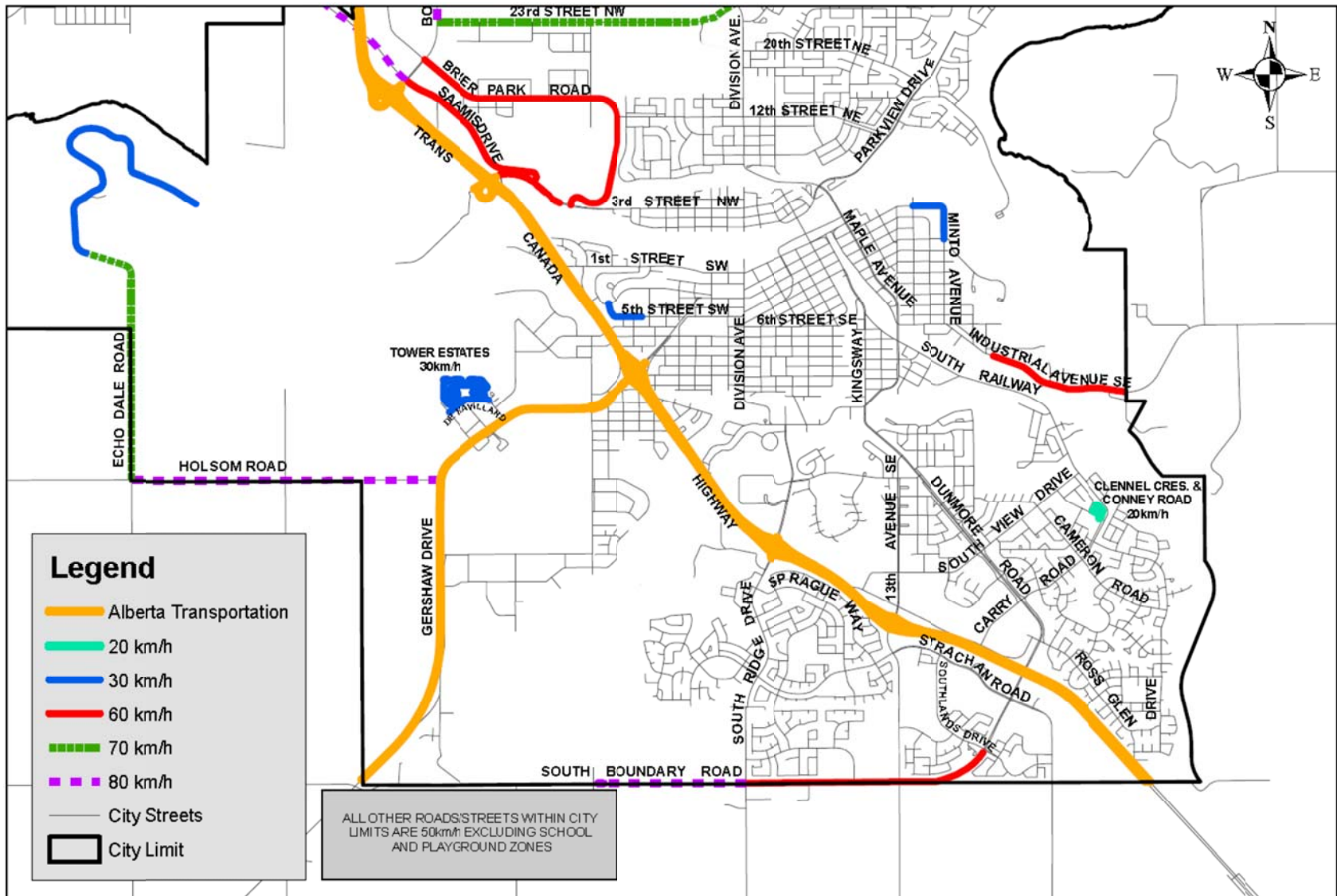
Route	From	To
3 Street NE	Division Avenue N	Altawana Avenue
3 Street NW	Brier Park Road	Division Avenue N
Altawana Avenue	3 Street NE	1 Street NE
Parkview Drive	1 Street NE	Altawana Drive
Parkview Drive	Altawana Drive	Division Avenue N

Areas Included In The Heavy Truck Route

Route	From	To
6 Avenue SW	15 Street SW	18 Street SW
7 Avenue SW	17 Street SW	Bomford Crescent
8 Avenue SW	17 Street SW	Bomford Crescent
9 Avenue SW	22 Street SW	25 Street SW
9 Avenue SW	22 Street SW	Gershaw Drive
9 Street SE	Allowance Avenue	South Railway Street
11 Avenue NW	Brier Park Way	Brier Park Drive
12 Avenue NW	Brier Park Way	Brier Park Drive
12 Avenue SW	30 Street SW	32 Street SW
13 Street SW	Gershaw Drive	8th Avenue SW
14 Street SW	Trans Canada Highway	Gershaw Drive
15 Avenue SW	30 Street SW	17 Avenue SW
15 Street SW	Trans Canada Highway	9 Avenue SW
16 Street SW	Trans Canada Highway	10 Avenue SW
17 Street SW	Trans Canada Highway	10 Avenue SW
17 Avenue SW		
18 Avenue SW	30 Street SW	32 Street SW
18 Street SW		
19 Street SW	9 Avenue SW	10 Avenue SW
20 Street SW	9 Avenue SW	10 Avenue SW
21 Street SW	9 Avenue SW	10 Avenue SW
22 Street SW	9 Avenue SW	10 Avenue SW
23 Street SW	10 Avenue SW	25 Street SW
25 Street SW	South West Drive	10 Avenue SW
32 Street SW	10 Avenue SW	Gershaw Drive
Bomford Crescent	8 Avenue SW	14 Street SW
Box Springs Boulevard		
Box Springs Close NW		
Box Springs Way		
Brier Estates Crescent	Prier Park Road	10 Avenue NW
Brier Estates Way		
Brier Park Bay		
Brier Park Crescent		
Brier Park Drive	10 Avenue NW	Brier Park Place
Brier Park Place		
Brier Park Way	10 Avenue NW	Brier Park Drive
Eagle View Court		
Factory Street		
Foundry Street	Smelter Avenue	Tractor Avenue
Gershaw Drive	30 Street SW	Gershaw Drive
Mill Street	Allowance Avenue	Smelter Avenue
Olive Avenue		
Semrau Drive	Brier Park Road	Walters Way
Smelter Avenue		
South West Drive	9 Avenue SW	25 Street SW
Tractor Avenue		
Walters Way		

SCHEDULE C TO BYLAW 2434 AS AMENDED BY BYLAW #4085 – NOVEMBER 8, 2011





Drawing 2 of 2