

**BEING A BYLAW OF FOOTHILLS COUNTY, IN THE PROVINCE OF ALBERTA, TO RESTRICT THE USE OF DESIGNATED PORTIONS OF CERTAIN HIGHWAYS UNDER THE DIRECTION, CONTROL AND MANAGEMENT OF THE COUNTY BY TRUCK TRAFFIC.**

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**WHEREAS** Pursuant to Section 13 of the *Traffic Safety Act* the Council of a municipality may, with respect to highways under its direction, control and management, pass bylaws not inconsistent with the *Traffic Safety Act* respecting matters enumerated therein; and

**WHEREAS** Pursuant to Section 110 of the *Traffic Safety Act* the Council of a municipality may, with respect to highways under its direction, control and management, cause traffic control devices to be placed, erected or otherwise displayed at any location on, over or adjacent to the highway for the purposes of controlling and regulating traffic.

**NOW THEREFORE** the Council of Foothills County, duly assembled, hereby enacts that a bylaw be established allowing designated No Truck Routes as follows:

**1 Title**

This Bylaw may be cited as the "No Truck Route Bylaw".

**2 Definitions**

- (1) In this Bylaw, words shall have the same meanings as in the *Traffic Safety Act* and its associated regulations unless otherwise defined below.
- (2) In this Bylaw:
  - (a) "**Chief Administrative Officer**" means the County Manager for the County, or their delegate;
  - (b) "**Council**" means the municipal council of Foothills County;
  - (c) "**County**" means the municipal corporation of Foothills County, and includes the geographical area within the boundaries of the County where the context so requires;
  - (d) "**Gross Registered Vehicle Weight**" means the weight of a vehicle as specified in the certificate of registration issued in respect of that vehicle pursuant to the *Traffic Safety Act*;
  - (e) "**Gross Weight**" means the total weight of a vehicle or combination of vehicles calculated as the sum of the weights transmitted to a highway through each of the axles;
  - (f) "**Peace Officer**" includes a member of the Royal Canadian Mounted Police, a community peace officer whose appointment includes enforcement of the

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County's bylaws and a bylaw enforcement officer appointed by the County;

- (g) **"Person"** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (h) **"Traffic Control Device"** means any temporary or permanent sign, signal, marking or device placed, marked or erected under the authority of this bylaw for the purpose of regulating, warning or guiding traffic;
- (i) **"Truck"** means a vehicle, or vehicle with a trailer attached, having a Gross Registered Vehicle Weight or Gross Weight exceeding 16,400 kilograms;
- (j) **"Violation Ticket"** means a ticket issued pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

### **3 No Truck Route**

- (1) The described portions of those highways identified in Schedule "A" are designated as routes upon which Trucks are prohibited to travel.
- (2) The Chief Administrative Officer shall cause Traffic Control Devices to be placed along the highway, as the Chief Administrative Officer considers necessary, to notify persons operating Trucks on the highway of those designated routes identified in Schedule "A" and shall cause to be kept a record of such locations and placements.
- (3) A person shall not operate a Truck on a highway designated as a route upon which Trucks are prohibited to travel.
- (4) This section does not apply to a Truck:
  - (a) Traveling to or from a point(s) located along or adjacent to a designated road(s) identified in Schedule "A",
  - (b) Operated by or under hire by the County for snow removal, road building or maintenance or maintenance of County property;
  - (c) Any Emergency vehicles.

### **4 Offence**

- (1) A Person who contravenes this Bylaw is guilty of an offence and is liable to a fine in an amount not exceeding \$10,000.00.
- (2) Any individual found committing a second offence under this bylaw within a 12 month period, the specified penalty shall be doubled.
- (3) Any individual found committing a subsequent offence under this bylaw within a 12 month period, the specified penalty shall be Tripled.

### **5 Specified Penalties**

Without restricting the generality of section 4, the fine amounts established for use on Violation Tickets if a voluntary payment option is offered are as set out in Schedule "B".

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**6 Violation Tickets**

(1) A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.

**7 Severability**

Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

**8 Bylaw Schedules**

Schedules "A" and "B" are attached to and form part of this bylaw.

**9 Repeal**

The following Bylaws, as amended, are hereby repealed: **xx/xxxx**

**10 Effective Date**

This Bylaw shall have effect on the date of its third reading.

**First Reading: \_\_\_\_\_, 2019**

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

**Second Reading: \_\_\_\_\_, 2019**

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

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**Third Reading: \_\_\_\_\_, 2019**

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

**PASSED IN OPEN COUNCIL** assembled at the Town of High River in the  
Province of Alberta, the [redacted] day of [redacted], 2019

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**SCHEDULE "A"**

**NO TRUCK ROUTES**

1. 306 Avenue, between Hwy 2A and Hwy 2
2. 32 St between Okotoks Boundary and 306 Ave

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**SCHEDULE "B"**

**Specified Penalties**

SECTION	OFFENCE	SPECIFIED PENALTY	MINIMUM PENALTY
Section 3(3)	Operate Truck on prohibited route	\$500	\$400

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