

**SUMMER VILLAGE OF SUNSET POINT
PARKING BYLAW
Bylaw No. 259**

Being a bylaw of the Summer Village of Sunset Point, in the Province of Alberta, regulating the parking of vehicles within the boundaries of the Summer Village.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, C.M.26, as amended, and the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, provide that a municipality may enact bylaws for the regulation and control of vehicle parking.

AND WHEREAS the Council of the Summer Village of Sunset Point deems it necessary and convenient to enact a bylaw regulating the parking of vehicles on highways and other areas within the boundaries of the Summer Village.

NOW THEREFORE, the Municipal Council of the Summer Village of Sunset Point, duly assembled, enacts as follows:

1. This bylaw shall be cited as the Summer Village of Sunset Point's "Parking Bylaw";

2. In this bylaw:

(a) "Commercial Vehicle" means any motor vehicle, trailer or truck tractor exceeding a maximum allowable weight of 3,900 kilograms used for the purposes of conducting a business activity but does not include any motor vehicle, trailer or truck tractor operated by or on behalf of the Summer Village of Sunset Point.

(b) "Heavy Vehicle" means a vehicle, with or without load, or a vehicle with a trailer attached exceeding any one of the following:

- i. 10.7 meters in length;
- ii. a maximum allowable weight of 3,900 kilograms;

but does not include Recreational Vehicles or Heavy Vehicles operated by or on behalf of the Summer Village of Sunset Point.

(c) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes,

- i. a sidewalk (including the boulevard portion of the sidewalk);
- ii. if a ditch lies adjacent to and parallel with the roadway, the ditch, and;
- iii. if a highway right or 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;
- iv. does not include a place declared by the Lieutenant Governor in Council not to be a Highway.

(d) "Owner" means any person registered as owner or renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days;

(e) "Parking Control Officer" any person or persons appointed by the Summer Village Council to administer the provisions of this bylaw;

(f) "Park" when prohibited, means to allow a vehicle (whether occupied or not) to remain standing in one place, except:

- i. when standing temporarily for the purpose of and while actually engaging in loading or unloading passengers or goods or performing a service, or;
- ii. when standing in obedience to a Peace Officer or traffic control device.

(g) "Peace Officer" means a member of the RCMP, a Bylaw Enforcement Officer, a Parking Control Officer or Special Constable appointed pursuant to the provisions of Section 38 of the *Police Act*, R.S.A. 2000, Chapter P-17 and all amendments and successors thereto.

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PARKING BYLAW
Bylaw No. 259**

(h) "Recreational Vehicle" means a vehicle or trailer that is designed, constructed and equipped either temporarily or permanently as a temporary accommodation for travel, vacation or recreational use and includes duly licensed travel trailers, motorized homes, sliding campers, chassis mounted campers, boats, all terrain vehicles, snowmobiles and tent trailers.

(i) "Trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and including any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways;

(j) "Truck" means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis cab, crawler mounted vehicle, trailer machinery or equipment used in the construction or maintenance of highways;

(k) "Truck Tractor" means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of the vehicle drawn, and includes a vehicle that is designed to accommodate a 5th wheel coupling;

(l) "Vehicle" means a device in, or by which a person or thing may be transported or drawn on a highway.

(m) "Violation Tag" means a ticket or similar document issued by the Summer Village pursuant to the *Municipal Government Act*, R.S.A. 2000 C.M. 26, as amended.

(n) "Violation Ticket" means a ticket issued pursuant to either Part II or Part III of the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34, as amended and regulations thereunder.

3. No owner or operator of a Commercial or Heavy Vehicle shall park or permit the Commercial or Heavy Vehicle to be parked in any area within the Summer Village.

4. Parking is prohibited where indicated by signage.

5. The provisions of Section 3 shall not prohibit Commercial or Heavy Vehicles from parking in any area within the Summer Village for the purpose of loading or unloading passengers or goods to or from premises within the Summer Village, provided that the Commercial or Heavy Vehicle shall have all front and rear hazard lights illuminated.

6. No person shall park a vehicle on private property without the prior permission of the owner, tenant, occupant or person in charge of the private property.

7. Notwithstanding the provisions of Section 5, parking of vehicles is permitted where parking spaces or a parking area have been provided for the parking of vehicles of persons who are customers or patrons of or otherwise doing business with the owner, tenant, occupant or person in charge of the private property.

8. No person shall operate a vehicle in a residential area of the Summer Village between the hours of 10 PM and 7 PM in a manner so as to unduly disturb the residents of any such area.

9. No person shall operate or allow to operate a vehicle within the summer Village in excess of the weight and size established under Section 2.

10. No owner of a Recreational Vehicle shall park the aforementioned vehicle anywhere in the Summer Village except on private property.

11. Any person who contravenes any provision of this bylaw is guilty of an offense and is liable to a penalty of \$300.00.

**SUMMER VILLAGE OF SUNSET POINT
PARKING BYLAW
Bylaw No. 259**

12. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
13. A Violation Tag shall be deemed to be sufficiently served:
 - (a) if served personally on the accused;
 - (b) if mailed to the address of the registered owner of the vehicle concerned; or
 - (c) attached or left upon the vehicle or property in respect of which the offence is alleged to have been committed.
12. Where a Violation Tag is issued pursuant to this bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offense, pay to the Summer Village the penalty specified in the Violation Tag.
13. In those cases where a Violation Tag has been issued and if the penalty is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to either Part II or Part III of the *Provincial Offenses Procedure Act*, R.S.A. 2000 P-34.
14. Notwithstanding the previous paragraph of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to either Part II or Part III of the *Provincial Offenses Procedure Act*, R.S.A. 2000 P-34 to any person to whom the Peace Officer has reasonable grounds to believe has contravened any provisions of this bylaw.
15. The Peace Officer is hereby empowered and authorized to tow and impound any vehicle parked in violation of this bylaw and said vehicle shall not be released to the owner until the towing, storage and other reasonable costs of the Summer Village have been paid by the owner.
16. Should any provision of this bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

READ A FIRST TIME IN COUNCIL this 15th day of September, 2006

READ A SECOND TIME IN COUNCIL this 15th day of September, 2006

READ A THIRD TIME IN COUNCIL
AND DULY PASSED this 15th day of September, 2006

Elizabeth Forfylow, Mayor

Hilda R. Marsh, CAO