

SUMMER VILLAGE OF LARKSPUR

BY-LAW 3/96

A Bylaw of the Summer Village of Larkspur, in the Province of Alberta for the purpose of regulating and controlling vehicular traffic, protecting the internal network of highways within the Summer Village and providing for penalties or remedies for infractions of this By-law.

WHEREAS, the Municipal Government Act, being Chapter M-26 1 1994, and amendments there to, Part 2, Division 1, Section 7; the Highway Traffic Act being Chapter H-7 and amendments there to; and the Motor Transport Act being Chapter M-20 and amendments there to provides that Council may pass By-laws for the purpose of safety, protection of people and property, transport and transportation systems, the creation of offences, and providing for fines and/or remedies:

AND WHEREAS, the Council of the Summer Village of Larkspur deems it expedient and in the best interests of the property-owners, residents, and others within the Summer Village, to establish such provisions as deemed necessary:

NOW THEREFORE, the Council of the Summer Village of Larkspur duly assembled, hereby enacts as follows:

DEFINITIONS

1. (a) In this bylaw the word "Act" shall mean the Highway Traffic Act, the Motor Transport Act or the Municipal Government Act of the Province of Alberta as applicable.

(b) Any word expression or terms used in this bylaw shall have the same meaning as in the appropriate Act.

(c) In this bylaw the words "Summer Village" shall mean the Summer Village of Larkspur, in the Province of Alberta.

SPEED LIMITS

2. The maximum speed on all highways within the Summer Village shall be thirty (30) kilometers per hour, unless a lesser speed is authorized by resolution of Council and posted.

TRAFFIC CONTROL DEVICES

3. Vehicle or traffic control devices, such as, but not limited to, stop signs, yield signs, lights, no vehicular traffic, no parking, or other appropriate signage as required and authorized by resolution of Council and posted.

PARKING

4. No parking zones or areas may be established by resolution of Council, and shall have effect for the period of time that appropriate signage, either temporary, or permanent is posted. It shall be an offence under this bylaw, to park a vehicle anywhere, in a manner which restricts movement of traffic, or blocks access to or from any property within the Summer Village, unless the owner of both are one and the same.

WEIGHT RESTRICTIONS

5. Vehicle weight limit controls known as 'road bans' may be established by resolution of Council, based on the licensed weight of a vehicle and taking into consideration road and other conditions. This restriction may be in total tonnes, or expressed as a percentage of the licensed axle weights, may be permanent, or for such period of time as is consistent with proper protection of the road surfaces.

DISTURBANCE OF HIGHWAY SURFACES BY DITCHING, DIGGING OR OTHER MEANS

6. No person, Company or any other, shall disturb the highway surfaces by ditching, digging or other means, without first, providing full details and location of the proposed disturbance to the Summer Village Administration Office. Any disturbance, must result in the highway sub-surface and surface being restored and compacted to it's original condition.

HANDLING OF RESOLUTIONS

7. Copies of resolutions passed in regard to this Bylaw shall be attached to and form part of this Bylaw. A notation indicating "Approved by resolution of Council at the Regular Meeting held on the _____ day of _____, A.D. _____", shall be included with each attached resolution or resolutions.

SERVING AND TYPE OF NOTICE UNDER THIS BYLAW

8. A notice of infraction under this bylaw shall be deemed to be sufficiently served if:

- (a) served personally on the accused;
- (b) mailed by double registered mail, to the address of the registered owner of a vehicle, or to the Company whose name appears on the vehicle, or to the person concerned; or
- (c) attached to or left upon the vehicle in respect of which the offence is alleged to have occurred.
- (d) A notice under this bylaw may be: in a form and having wording as approved by the Council of the Summer Village and issued by a Peace Officer or a Bylaw Enforcement Officer; or in the form approved for use and issued by law enforcement agencies, or their representatives in the Province of Alberta. Full details as required by law, and including the time, date, location of the alleged infraction, description and license number of the vehicle shall be included on any notice under this bylaw.

PENALTIES AND REMEDIES

9. Penalties and remedies under this bylaw, shall be as specified herein.

- (a) For standing or non-moving violations, not including weight violations, the penalty shall be a voluntary payment fine of thirty-five dollars (\$35.00), payable within twenty-one (21) days to the Summer Village.
- (b) For travelling or moving violations, the penalty shall be in accordance with Provincial Statutes or Acts in force at the time of the alleged infraction, and payment shall be to the Summer Village within twenty-one (21) days of issuance of the notice.
- (c) For weight restriction violations, the penalty shall be in accordance with Provincial Statutes or Acts in force at the time of the alleged infraction, and in addition all costs in relation to the alleged infraction in regard to road damage and restoration shall become due and payable by the person upon conviction, and shall be paid within the time frame specified by the Courts, or within twenty-one (21) days of serving notice of these costs. All payments shall be paid to the Summer Village.
- (d) For disturbance of Highway Surfaces, full restoration of the sub-surface or surface shall be made within seven (7) days of notification of default, or full payment of all costs incurred by the Summer Village, should it should become necessary for the Summer Village to do the restoration, shall be made to the Summer Village within twenty-one (21) days of the date of notice.

GENERAL PENALTY BY-LAW

10. In the event of failure to collect any penalties or failure of compliance with any remedies specified under this By-law, then the provisions of the General Penalty By-law of the Summer Village shall have full force and effect.

11. By-law 19 dated August 13, 1988 and Bylaw 38/93 dated July 24, 1993 are hereby rescinded.

12. This By-law shall have full force and effect from the date of third (3rd) reading thereof.

Read a 1st time this 15th day of JUNE A.D. 1996.

Read a 2nd time this 20th day of July A.D. 1996.

Read a 3rd time this 20th day of July A.D. 1996 with unanimous consent and passed.

Don Baillie

Administrator - Don Baillie

Frank B. Atkinson

Mayor - Frank B. Atkinson

SUMMER VILLAGE OF LARKSPUR

MEMORANDUM

July 20, 1996 - To be attached to and form part of By-law 3/96.

The following resolution(s) were approved by Council at the Regular Meeting held on the 20th day of July, A.D. 1996:

"that yield and/or stop signs be confirmed as currently in place on Pike Crescent, Beaver Crescent, Elk Crescent, Meadowlark Crescent and Maple Crescent on the south east or south side of each Crescent where they intersect with Larkspur Drive, and in any other location throughout the Summer Village."

"that stop signs with "3-way stop" tabs affixed below them be confirmed as currently in place:

- (a) on the East/West Road Allowances at the north and south end of the Summer Village for traffic approaching from the East or West; and
- (b) on Larkspur Drive at the north and south end of the Summer Village for traffic approaching the East/West Road Allowances from within the Summer Village."

"that a road ban of seventy-five (75) percent of gross vehicle weight be established for all vehicles commonly referred to as "three ton trucks" or higher; that this road ban be in effect during the period, or periods of time when the '75%' tabs are affixed and in place; that exceptions to this resolution shall apply to all vehicles used in emergency situations, water trucks, fuel trucks delivering fuel for heating purposes and sewage disposal trucks; and that appropriate signage be obtained and put in place on the East/West Road Allowances at the north and south end of the Summer Village, for traffic approaching the Summer Village from the East."