

## COUNTY OF ST. PAUL NO. 19

### BY-LAW NO. 2013-36

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A Bylaw of the County of St. Paul No. 19 in the Province of Alberta to regulate and control the parking of vehicles within municipal parking lots of the County of St. Paul No. 19.

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**WHEREAS**, Council deems it desirable and expedient to pass such a Bylaw

**WHEREAS**, under the provisions of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, the Council of the County of St. Paul No. 19 may enact Bylaws providing for the control and regulation of vehicle parking, and;

**WHEREAS**, the Council of the County of St. Paul No. 19 deems it to be in the best interest of residents of the County of St. Paul to regulate and control the parking of vehicles within municipal parking lots of the County of St. Paul No. 19.

**NOW THEREFORE**, the Council of the County of St. Paul No. 19, in the Province of Alberta, duly assembled and pursuant to the authority conferred upon it by the *Highway Traffic Act*, R.S.A. 2000, Chapter T-6, as amended, enacts as follows:

#### **SECTION 1: SHORT TITLE**

1.1 This Bylaw may be cited as the County of St. Paul's "Parking Bylaw."

#### **SECTION 2: DEFINITIONS**

2.1 "Authorized Sign" means any sign, notice, or other device placed or erected in municipal parking lot by the County of St. Paul No. 10

2.2 "Bylaw Enforcement Officer" means

- i) Any member of the Royal Canadian Mounted Police
- ii) Any Community Peace Officer
- iii) The Chief Administrative Officer of the County of St. Paul No. 19 or any person designated by the Chief Administrative Officer to enter and inspect property in accordance with the provisions of this Bylaw.

2.3 "County" means the County of St. Paul No. 19 in the Province of Alberta.

2.4 "Owner" with regards to a Vehicle means:

2.4.1 the person in whose name the vehicle is registered under the *Motor Vehicle Administration Act*, R.S.A. 2000, c M-23.

2.4.2 any person renting a Vehicle or having the exclusive use of it

under lease or otherwise for more than thirty (30) days.

- 2.5 “Park” when prohibited, means the standing or idling of a vehicle whether occupied or no, except when standing temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers;
- 2.6 “Stop” when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or a traffic control sign or signal;
- 2.7 “Vehicle” includes any automobile, motorcycle, motor assisted bicycle, trailer, traction engine, farm tractor, road building machine, or any other method of transport propelled or driven by any kind of power, including muscular power with the exception of any mobility aid vehicles.

### **SECTION 3: PROVISIONS**

- 3.1 This Bylaw applies to the County of St. Paul’s Municipal Parking Lot located at 5015 – 49 Avenue in the Town of St. Paul in the Province of Alberta.
- 3.2 When signed, no person shall park a Vehicle in the Municipal Parking Lot stated in Section 3.1 unless employed by the County of St. Paul No. 19, attending the County Office for a meeting, to gain access to a County service, or otherwise authorized.
- 3.3 No person shall use a Municipal Parking Lot for any purpose other than for Parking a Vehicle unless written permission has been obtained from a County Bylaw Enforcement Officer. Without limiting the generality of the foregoing such prohibited activity includes: washing or servicing a vehicle, giving driving instruction, playing games or sports, displaying or selling any merchandise.
- 3.4 No person while in a Municipal Parking Lot shall:
  - 3.4.1 park a Vehicle in a driving lane;
  - 3.4.2 park a Vehicle across one or more parking spaces;
  - 3.4.3 park a Vehicle on any landscaped area;
  - 3.4.4 park a Vehicle in a manner that obstructs another vehicle;
  - 3.4.5 park or abandon a Vehicle; or
  - 3.4.6 park within three (3) metres of a fire hydrant.
- 3.5 No person while in a municipal parking lot shall Park or Stop a Vehicle on a sidewalk, curb, or walking path.

## **SECTION 4: EXEMPTIONS**

- 4.1 The provisions in this Bylaw shall not apply to ambulances, fire department Vehicles, other emergency response Vehicles, or County Vehicles while employees are engaged in performing their duties.

## **SECTION 5: ENFORCEMENT**

- 5.1 All municipal Bylaw Enforcement Officers are hereby appointed to enforce the provisions of this Bylaw.
- 5.2 Every person that contravenes any provision of this Bylaw is guilty of an offence and is liable to a fine and other penalties imposed pursuant to the *Provincial Offences Procedure Act*, RSA 2000, c.P-34, as amended.
- 5.3 Where a vehicle is found parked or stopped in contravention of this Bylaw the Bylaw Enforcement Officer so finding the Vehicle shall serve the Owner of the Vehicle”
- a) Affixing the Violation Ticket to the Vehicle in a conspicuous place at the time of the alleged infraction; or
  - b) By delivering the Violation Ticket personally to the person having care and control of the Vehicle at the time of the alleged infraction; or
  - c) By using regular mail to mail a copy of the Violation Ticket to the Owner at their last known postal address.
- 5.4 A person other than the Owner or operator of a Vehicle shall not remove any Violation Ticket placed on or affixed to the Vehicle by the County Bylaw Officer in the course of their duties.
- 5.5 The Violation Ticket shall state:
- 5.5.1 the name of the person;
  - 5.5.2 the offence;
  - 5.5.3 the appropriate penalty for the offence as specified in the County’s Fee Schedule Bylaw.
  - 5.5.4 the location where the violation occurred;
  - 5.5.5 any other pertinent information as per the discretion of the Bylaw Enforcement Officer.
- 5.6 Within fifteen (15) days of the date of infraction the Owner may make the set fine payment or request a trial date.
- 5.7 All payments must be made to the County of St. Paul No. 19.
- 5.8 All requests for trial must be made to the County of St. Paul No. 19.

**SECTION 6: REMOVING OR IMPOUNDING**

6.1 Where a vehicle is found to be parked in contravention of this Bylaw, a municipal Bylaw Enforcement Officer may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care, and storage thereof, if any, are a lien upon the Vehicle, which may be enforced in a manner provided by the *Possessory Liens Act*, R.S.A. 2000, c. P-19, as amended.

**SECTION 7: SEVERABILITY**

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

**SECTION 8: EFFECTIVE DATE**

8.1 This Bylaw comes into force on the day that it passes third and final reading.

Read a first time in Council this

Read a second time in Council this

Read a third time in Council this

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Reeve

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County Administrator

