
BYLAW NO. 2025-6

**A BYLAW OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA,
RESPECTING TRAFFIC SAFETY, PARKING, ROAD USE, AND OFF-HIGHWAY VEHICLES**

WHEREAS the *Municipal Government Act*, RSA 2000, c M-26, as amended, authorizes a Council to pass bylaws for municipal purposes respecting, among other things, the following matters:

- A. The safety, health, and welfare of people and the protection of people and property;
- B. The controlling of transport and transportation systems; and
- C. The enforcement of bylaws;

AND WHEREAS the *Traffic Safety Act*, RSA 2000, c T-6 authorizes the Council of a municipality to pass bylaws not inconsistent with the *Traffic Safety Act* respecting Highways under its direction, control and management, and for the regulation and control of traffic within the boundaries of the municipality;

AND WHEREAS the Council of the Summer Village of Nakamun Park deems it necessary and in the public interest to regulate traffic, parking, and Off-Highway Vehicles within the Municipality;

NOW THEREFORE the Municipal Council of the Summer Village of Nakamun Park, duly assembled, hereby **ENACTS AS FOLLOWS:**

PART 1 SHORT TITLE

- 1 This Bylaw may be cited as the "Traffic Bylaw".

PART 2 DEFINITIONS

- 2 In this Bylaw, unless the context otherwise requires:
- (a) "Act" means the *Traffic Safety Act*, RSA 2000, c T-6.
 - (b) "Axle Weight Allowance Percentage" means the percentage that is applied to the Maximum Allowable Weight of the Carrying Axle of a Vehicle to determine the weight that the Carrying Axle may bear on a Highway during a Road Ban.
 - (c) "Boulevard" means that part of a Highway in an urban area that is not Roadway, and is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by Pedestrians.
 - (d) "CAO" means the Chief Administrative Officer of the Village, or their delegate.
 - (e) "Carrying Axle" means any axle that is not a steering axle.
 - (f) "Commercial Vehicle" has the same meaning as defined in the Act.
 - (g) "Council" means the duly elected municipal council for the Village of Nakamun Park.

- (h) "Curb" means the actual Curb if there is one or the division point between that portion of the Highway intended for the use of Vehicles and that portion occupied by a Sidewalk.
- (i) "Emergency Vehicle" has the same meaning as defined in the Act.
- (j) "Fire Department" means the entity established by the Village to provide fire services whether by contracting such services from another municipality or other service provider, and includes any member of such Fire Department.
- (k) "Heavy Vehicle" means a Vehicle that is properly registered to operate on a Highway in Alberta having a registered gross vehicle weight of more than five thousand kilograms (5,000 kg).
- (l) "Highway" has the same meaning as defined in the Act.
- (m) "Intersection" means the exterior edges of the Roadways which join one another at an angle whether or not one Highway crosses the other.
- (n) "Maximum Allowable Weight" means the weight that may be borne by a single axle, an axle group, or all the axles of a Commercial Vehicle as established by the Commercial Vehicle Dimension and Weight Regulation of the Act.
- (o) "Mobility Aid" means a device that is used to facilitate the transport, in a normal seated orientation, of a Person with a disability.
- (p) "Municipal Tag" means a ticket alleging an offence issued pursuant to a bylaw of the Village and providing a Person with the opportunity to pay a fine amount to the Village in lieu of prosecution for the offence.
- (q) "Off-Highway Vehicle" means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land, or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel, 4-wheel drive Vehicles, low pressure tire Vehicles, motorcycles and related 2-wheel Vehicles, amphibious machines, all-terrain Vehicles, miniature motor Vehicles, snow Vehicles, minibikes, and any other means of transportation that is propelled by any power other than muscular power or wind, but does not include a Mobility Aid, motor boats, or any other Vehicle exempted from being an Off-Highway Vehicle by provincial regulation.
- (r) "Overweight Vehicle" means any Vehicle that exceeds the Axle Weight Allowance Percentage.
- (s) "Owner" means the Person who owns a Vehicle and includes any Person renting a Vehicle or having the exclusive use of a Vehicle under a lease that has a term of more than thirty (30) days or otherwise having the exclusive use of a Vehicle for a period of more than thirty (30) days, or if the context dictates, a duly registered land title holder.

- (t) "Operator" means a Person who drives a Vehicle or operates equipment as the Owner thereof, or as an agent, employee, or servant of the Owner.
- (u) "Parkland" means any developed or undeveloped property that is owned, controlled or maintained by the Village and is intended to be used by the public for recreational purposes and is:
 - (i) preserved as a natural area,
 - (ii) designated or districted as park, or
 - (iii) dedicated as municipal reserve or environmental reserve.
- (v) "Peace Officer" or "Enforcement Officer" means a person who is:
 - (i) A member of the Royal Canadian Mounted Police;
 - (ii) A Community Peace Officer;
 - (iii) A bylaw enforcement officer; or
 - (iv) A Peace Officer as defined in the *Peace Officer Act*, SA 2006 c P-3.5.
- (w) "Pedestrian" has the same meaning defined in the Act.
- (x) "Permanent Road Ban" means a Road Ban in effect within the municipal corporate limits of the Village for the entire calendar year.
- (y) "Permitted Area" means any area outside of the Village limits where Off-Highway Vehicles may be operated and within the Village limits in specified areas.
- (z) "Person" means any individual, firm, partnership, association, corporation, or society.
- (aa) "Property" means any real or personal property.
- (bb) "Recreational Vehicle" means a Vehicle unit primarily designed as temporary living quarters for recreational, camping, vacation, or travel use, which either has its own motor power or is mounted on or drawn by another Vehicle and includes, without limitation, a tent trailer, travel trailer, fifth wheel, truck camper, and motor home.
- (cc) "Resident" means a property owner, or the authorized tenant(s) of a property owner, in the Village and their family.
- (dd) "Road Ban" means the weight restrictions established by the Village that reduce the Maximum Allowable Weight on any Carrying Axle of a truck or trailer by the percentage specified.
- (ee) "Road Use Permit" means a permit to exceed the posted Axle Weight Allowance Percentage prescribed by a Road Ban issued to a Person or firm conducting trips in and out of the Village.

- (ff) "Roadway" has the same meaning as defined in the Act
- (gg) "Safety Helmet" means a safety helmet intended for use by an Operator or passenger of an Off-Highway Vehicle that meets the standards prescribed in the Off-Highway Vehicle Regulation, Alta Reg 319/2002.
- (hh) "Seasonal Road Ban" means a Road Ban in effect within the municipal corporate limits during seasonal periods when Highways are particularly vulnerable to damage.
- (ii) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by Pedestrians and includes that part of a Highway between the Curb line, or where there is no Curb line, the edge of the Roadway and the adjacent Property line, whether or not it is paved or improved.
- (jj) "Special Event" means any public or private event, gathering, celebration, festival, competition, parade, or similar type activity that takes place, in whole or in part, on a public Roadway which may involve Pedestrians, bicycles, or Vehicles where traffic flow could be obstructed.
- (kk) "Speed Limit" means the maximum allowable speed a motor Vehicle is permitted to travel within the boundaries of the Village as indicated by a Traffic Control Device or as specified in this Bylaw.
- (ll) "Traffic Control Device" has the same meaning as defined in the Act.
- (mm) "Vehicle" has the same meaning as defined in the Act.
- (nn) "Village" means the Summer Village of Nakamun Park.
- (oo) "Village Lands" means those reserve lands, recreational lands, and other lands within Village boundaries which are owned by or controlled by the Village, including Parkland.
- (pp) "Violation Ticket" has the same meaning as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.

PART 3 GENERAL

- 3 Notwithstanding anything in this Bylaw, no Person shall act in contravention of:
- (a) the directions of a Peace Officer, or a member of the Village's Fire Department acting in the course of their official duties; or
 - (b) a Traffic Control Device placed by or under the direction of the Village.

PART 4 PARKING

- 4 No person shall park any Off-Highway Vehicle or trailer or any unattached trailer on any Highway in the Village.

- 5 Where parking is permitted, the Vehicle shall not be parked on the traveled portion of any Highway in the Village.
- 6 Where a parking space is indicated on a Roadway surface, an Operator shall park the Vehicle wholly within the limits of the parking space.
- 7 No person shall park or leave a Vehicle upon public or private Property without express or implied consent of the Owner, or a Person in lawful possession or control of the Property.
- 8 Unless required or permitted by a Traffic Control Device, this Bylaw, the Act, or in compliance with the direction of a Peace Officer, or to avoid a conflict with other traffic, a driver shall not stop, park, or leave their Vehicle or their Recreational Vehicle:
- (a) on a Sidewalk or Boulevard;
 - (b) within an Intersection;
 - (c) within five (5) meters of the approach to any "STOP" or "YIELD" sign;
 - (d) such that the Vehicle impedes or obstructs the orderly flow of Vehicle or Pedestrian traffic;
 - (e) at any place for a time longer than that stated in a Traffic Control Device providing for parking for a specified time;
 - (f) on the wrong side of a Roadway against the flow of traffic;
 - (g) in a Roadway maintenance or construction area unless the Vehicle is employed in the maintenance or construction work;
 - (h) where any Vehicle may interfere with the use of a doorway intended as a fire or emergency exit from any building abutting a Highway;
 - (i) upon Parkland;
 - (j) in any place where a Traffic Control Device indicates that parking or stopping is restricted to a special class of Vehicles, except if the Vehicle qualifies as a member of such special class of Vehicles;
 - (k) in such manner as to interfere with the proper operation of any Vehicle used by the Fire Department or the Village; or
 - (l) on a Highway without valid registration issued in respect of that Vehicle.
- 9 Recreational Vehicles.
- (a) Notwithstanding any other provision of this bylaw, a Recreational Vehicle shall not be parked on a Highway in the Village for a period exceeding twelve (12) consecutive hours.

- (b) A Recreational Vehicle parked on a Highway shall not be occupied.
- (c) A Recreational Vehicle shall not be parked on a Highway with any slides extended.
- (d) No Person shall park a Recreational Vehicle that is drawn by another Vehicle upon a Highway unless the Recreational Vehicle is attached at all times to a Vehicle by which it may be drawn.

10 Abandoned Vehicles.

- (a) No Person shall abandon a Vehicle on a Highway. A Vehicle left standing for more than seventy-two (72) consecutive hours shall be deemed to be abandoned at that location.

PART 5 SPEED LIMITS

- 11 The maximum allowable speed on a Highway in the Village is thirty (30) kilometers per hour unless otherwise specified by a Traffic Control Device.

PART 6 OFF-HIGHWAY VEHICLES

- 12 A qualified Operator of an Off-Highway Vehicle may only operate the Off-Highway Vehicle on any Highway under the control of the Village, or on Village Lands, in accordance with the requirements of this Bylaw and the Act.
- 13 An Operator of an Off-Highway Vehicle that is a snow Vehicle shall operate the snow Vehicle off the travelled portion of any developed Highway where practicable.
- 14 No Person who is the Owner or Operator of an Off-Highway Vehicle may operate or offer or permit any other Person to operate the Off-Highway Vehicle on a Highway under the control of the Village or on Village Lands where there is no subsisting certificate of registration issued, and an insurance policy issued pursuant to the Act for that Off-Highway Vehicle.
- 15 No Resident of the Village shall operate an Off-Highway Vehicle on a Highway under the control of the Village or on Village Lands except for the purpose of proceeding from their residence to a Permitted Area and back to their residence by the most direct and practical route possible.
- 16 If it is necessary to travel on a Highway in an Off-Highway Vehicle, the Operator of the Off-Highway Vehicle shall travel on the extreme right-hand side of the road and shall travel single file.
- 17 When a Person operates an Off-Highway Vehicle, the Operator shall:
- (a) when travelling on property that is not a Highway, travel at a rate of speed not in excess of twenty (20) kilometers per hour (or such lower speed as is indicated by a Traffic Control Device); and
 - (b) obey all laws and regulations of the Village and the Province of Alberta.

- 18 When a Person is operating an Off-Highway Vehicle in the Village and it is necessary to cross a Highway, the Operator shall:
- (a) stop the Off-Highway Vehicle before entering on to the Highway or portion of the Highway to be crossed;
 - (b) ensure that all passengers are off of the Off-Highway Vehicle and any Vehicle or thing attached to it before the Operator starts to cross the Highway;
 - (c) yield right of way to all other Vehicles and Persons on the Highway; and
 - (d) cross-over the Highway or portion of the Highway to be crossed by the most direct and shortest route of travel available.
- 19 No Person shall operate an Off-Highway Vehicle upon Parkland during the period from April 1 to October 31 except for the purposes of installing and removing boat launches, lifts, and piers. This restriction does not apply to municipal employees or contractors during the course of their employment or contracted work.
- 20 No Person shall operate an Off-Highway Vehicle on a Highway under the control of the Village or on Village Lands that is not equipped with:
- (a) an exhaust muffler;
 - (b) at least one headlight;
 - (c) at least one taillight; and
 - (d) such other equipment as is required by the Off-Highway Vehicle Regulation, Alta Reg 319/2002.
- 21 At any time during the nighttime hours or at any other time when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible at a distance of one hundred fifty (150) meters ahead, no Off-Highway Vehicle shall be in motion on a Highway under the control of the Village or on Village Lands unless the headlight and taillight are alight.
- 22 No Person shall operate, drive, ride in or on, or be towed by an Off-Highway Vehicle on a Highway under the control of the Village or other Village Lands unless that Person is wearing a Safety Helmet except where an exemption from the requirement for a Safety Helmet exists under provincial law.
- 23 No Person shall operate an Off-Highway Vehicle in any area where a Traffic Control Device prohibits Off-Highway Vehicles.
- 24 Notwithstanding sections 15, 16, 17, 18, and 19 of this Bylaw, Council may, by resolution, or the CAO may, grant permission for the operation of Off-Highway Vehicles in any designated area within the Village for a designated time or Special Event.

- 25 Notwithstanding any sections of this Bylaw:
- (a) municipal employees may be authorized by Council to operate an Off-Highway Vehicle in the course of their duties and otherwise as prescribed by this Bylaw; and
 - (b) the restrictions applicable to Off-Highway Vehicles in this Bylaw shall not apply to any Peace Officer in the performance of their duties.
- 26 Any Operator of an Off-Highway Vehicle in the Village does so at their own risk.
- 27 Any Person found in violation of this Bylaw or the Act in respect of an Off-Highway Vehicle may be required to complete an Off-Highway Vehicle training course approved by the Village prior to being permitted to again operate an Off-Highway Vehicle on municipally controlled lands.

PART 7 TRAFFIC CONTROL DEVICES

- 28 No Person other than a Peace Officer, or an Enforcement Officer, or a member of the Village's Fire Department, or an employee or contractor of the Village in the course of their duties, shall attempt to direct or regulate traffic or place anything resembling a Traffic Control Device other than with the permission of, and in accordance with any conditions imposed by, the CAO or their designate.
- 29 No Person shall remove, damage, or tamper with a Traffic Control Device installed within the boundaries of the Village except for municipal employees or contractors acting within the scope of their duties.

PART 8 ROAD BANS AND ROAD USE PERMITS

- 30 Council hereby authorizes the CAO to establish appropriate Road Bans for the Village.
- 31 Road Bans may be Seasonal Road Bans or Permanent Road Bans, and may be geographically restricted.
- 32 Road Use Permits are not required for the use of roads by Heavy Vehicles unless the Operator is making a request to exceed the posted Axle Weight Allowance Percentage.
- 33 Council hereby authorizes the CAO to issue Road Use Permits.
- 34 No Person shall operate a Heavy Vehicle in excess of the posted Axle Weight Allowance Percentage on a Highway within the Village without a valid Road Use Permit.
- 35 No Person shall operate a Heavy Vehicle on a Highway within the Village in contravention of any special conditions or restrictions noted on the Road Use Permit.

PART 9 TEMPORARY CLOSING OF HIGHWAYS

- 36 In any case where, by reason of an emergency or special circumstance which, in the opinion of the CAO, a member of Council, or a Peace Officer or Enforcement Officer, it is necessary

and is in the public interest to do so, the CAO, or a Peace Officer or an Enforcement Officer may:

- (a) temporarily close off any area or Highway in whole or in part to traffic; or
- (b) temporarily suspend in any area of the Village the parking privileges granted by this or any other Bylaw.

PART 10 DAMAGING HIGHWAYS

- 37 No Person shall operate a Vehicle with metal spikes, cleats, lugs or bands projecting from the wheel, tire or tread of such Vehicle on any Highway within the Village.
- 38 No Person shall operate a Vehicle with caterpillar tread/track on a Highway within the Village unless permission has been given by the CAO for such use and, if such permission is granted, no Person shall operate such Vehicle in contravention of any special conditions or restrictions attached to such permission.
- 39 Regardless of the exemptions in Part 13 of this Bylaw, or any permit issued or permission granted, the Owner of a Commercial Vehicle is responsible for any damage to public property, including Highways, caused by the Owner's Vehicle.

PART 11 OBSTRUCTING HIGHWAYS

- 40 A Vehicle shall not be parked on a Highway in a manner that:
 - (a) blocks or obstructs the movement of traffic on the Highway; or
 - (b) restricts or blocks access to any building.
- 41 No Person shall place, store, cause or permit to be placed, any mud, grease, oil, ice, slush, building or landscaping material, or any other materials on any Roadway.
- 42 No Person shall congregate, crowd, or harass any other Person or do so in such a manner as to interfere with the movement of traffic on a Highway.

PART 12 HEAVY VEHICLES

- 43 Heavy Vehicles are generally prohibited from travelling on any Highway within the Village unless:
 - (a) the Heavy Vehicle is providing services to, delivering goods to, or collecting goods from, a customer or resident;
 - (b) those services or goods, outside of regular municipal services, are accompanied by valid documentation to do so, such as a bill of lading; and
 - (c) if providing such services or the delivery of goods, the Heavy Vehicle does not exceed the Axle Weight Allowance Percentage posted for that Highway unless an approved and

valid Road Use Permit is in the operator's possession and all Road Use Permit restrictions or conditions are followed.

PART 13 EXEMPTIONS

- 44 All Emergency Vehicles are exempt from the provisions of this Bylaw.
- 45 Vehicles exempt from Road Bans under this Bylaw shall be those identified as exempt from road bans in the Commercial Vehicle Dimension and Weight Regulation, Alta Reg 315/2002.
- 46 Highway construction and maintenance equipment are exempt from the provisions of Part 8 (Road Bans and Road Use Permits) and Part 4 (Parking) of this Bylaw; however, for certainty, such exemption does not apply to Heavy Vehicles transporting said equipment in and out of the Village.

PART 14 IMPOUNDING OF VEHICLES

- 47 Any Peace Officer is hereby authorized to remove, or cause to be removed, any Vehicle that has contravened the provisions of this Bylaw.
- 48 No impounded vehicle shall be released to its Owner or their agent until the impounding and removal charges in respect of the Vehicle have been paid.
- 49 The impounding and removal charges are in addition to any fines or penalties imposed under this Bylaw.
- 50 Where a Vehicle is impounded or stored pursuant to this Part 14 and it is not claimed within thirty (30) days of its removal, it may be disposed of in accordance with the Act.

PART 15 OWNER LIABLE

- 51 If a Vehicle is involved in an offence referred to in any section of this Bylaw, the Owner of that Vehicle is guilty of an offence.
- 52 Section 51 does not apply if the Owner of the Vehicle satisfies the court that, at the time the Vehicle was involved in an offence referred to in this Bylaw:
 - (a) the Owner of the Vehicle was not driving or did not park the Vehicle; and
 - (b) no other Person was driving or parked the Vehicle with the Owner's express or implied consent.

PART 16 CORPORATIONS AND PARTNERSHIPS

- 53 Where a corporation commits an offence under this Bylaw, every principal, director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act of omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

- 54 If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence.

PART 17 VICARIOUS LIABILITY

- 55 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

PART 18 OFFENCES AND PENALTIES

- 56 A Person who contravenes this Bylaw by:
- (a) doing any act or thing which the Person is prohibited from doing; or
 - (b) failing to do any act or thing the Person is required to do,
- is guilty of an offence.
- 57 Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00) and, in default of payment of any fine imposed, to a period of imprisonment not exceeding six (6) months, or both.
- 58 Where there is a specified penalty listed for the offence in the Village's Fees and Charges Bylaw, that amount is the specified penalty for the offence.
- 59 Where there is a minimum penalty listed for an offence in the Village's Fees and Charges Bylaw, that amount is the minimum penalty for the offence.
- 60 Where an Enforcement Officer believes that a Person has contravened any provision of this bylaw, the Enforcement Officer may commence proceedings against the Person by issuing a Violation Ticket.
- 61 If a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify the fine amount established by the Village's Fees and Charges Bylaw for the offence.
- 62 A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by the Village's Fees and Charges Bylaw for the offence and, if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

- 63 If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then an Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket.
- 64 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by the Village's Fees and Charges Bylaw for the offence; or
 - (b) require a Person to appear in court without the alternative of making a voluntary payment.
- 65 A Person who commits an offence may, if a Violation Ticket is issued in respect of the offence and the Violation Ticket specifies the fine amount established by the Village's Fees and Charges Bylaw, make a voluntary payment equal to the specified fine.
- 66 The levying and payment of any fine or the imprisonment of any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs for which that Person is liable under the provisions of this Bylaw or any other bylaw.
- 67 The Village may exercise discretion in the application of this Bylaw and its contents as defined in section 529 of the Act.
- 68 An Enforcement Officer may use discretion, mediation, or provide education and increased awareness as an alternative to issuing Municipal Tags or Violation Tickets.

PART 19 INTERPRETATION

- 69 In this Bylaw, a citation or reference to any act or regulation of the Province of Alberta or of Canada, or of any other bylaw of the Village is a citation of or reference to that act, regulation, or bylaw, as amended or replaced, whether amended or replaced, before or after the commencement of the act, regulation, or bylaw in which the citation or reference occurs.
- 70 Nothing in this Bylaw relieves a Person from complying with any provision of any provincial or federal legislation or regulation, other Village bylaw, or any requirement of any lawful permit, order, or license.

PART 20 SEVERABILITY

- 71 Should any provision of this Bylaw be invalid, then such provision shall be severed, and the remainder of the Bylaw shall remain in force.

PART 21 TRANSITION AND COMING INTO FORCE

- 72 This Bylaw takes effect on the final passing thereof and, on such final passing, Bylaw 2009-03 is hereby repealed.

READ A FIRST TIME THIS 20 DAY OF MAY, 2025

READ A SECOND TIME THIS 20 DAY OF MAY, 2025

UNANIMOUS CONSENT to proceeding to third reading this 20 DAY OF MAY, 2025

READ A THIRD TIME THIS 20 DAY OF MAY, 2025

SUMMER VILLAGE OF NAKAMUN PARK



KEITH PEDERSON
Mayor



DWIGHT MOSKALYK
Chief Administrative Officer

