

BYLAW NUMBER 2017/05

BYLAW NO. 2017/05 is a Bylaw of the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of controlling the rate of speed on County highways as a means of protecting County infrastructure and vehicle and pedestrian traffic.

WHEREAS under Part 2, Division 1, Section 7 of the Municipal Government Act, Statutes of Alberta, 2000, M-26, as amended, a council may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS under Part 3, Division 2, Section 18 of the Municipal Government Act, Statutes of Alberta, 2000, M-26, as amended, a municipality has the direction, control and management of all highways under the jurisdiction of the municipality;

AND WHEREAS pursuant to Part 6, Section 203 of the *Municipal Government Act*, 2000, Chapter M-26.1, a council may by bylaw delegate any of its powers, duties or functions under the *Municipal Government Act* or any other enactment or a bylaw to a council committee, the chief administrative officer or a designated officer, unless the *Municipal Government Act* or any other enactment or bylaw provides otherwise;

AND WHEREAS the Council of the County of Wetaskiwin No. 10 wishes to delegate and establish the authority for locating temporary Traffic Control Devices on Highways under the direction, control and management of the County of Wetaskiwin No. 10.;

AND WHEREAS under Part 5, Division 1 of the Traffic Safety Act, Statutes of Alberta, 2000, T-6, as amended, a road authority may prescribe speed rates that differ from the standard speed limits that are established in the Traffic Safety Act.

NOW THEREFORE the Council of the County of Wetaskiwin No. 10, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

This Bylaw may be cited as the "Speed Rate Bylaw."

2. DEFINITIONS:

In this Bylaw:

- a) "Chief Administrative Officer" means the Chief Administrative Officer of the County of Wetaskiwin No. 10 or their delegate;
- b) "County" is defined as the County of Wetaskiwin No.10.
- c) "Hamlet" is defined as an unincorporated community within the County of Wetaskiwin No. 10 that has been given such designation as "hamlet" by County Council
- d) "Highway" is defined as any thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
 - (i) a sidewalk, including a boulevard adjacent to the sidewalk,
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a highway right of 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 does not include a place declared by regulation not to be a highway.

- e) "Peace Officer" means
 - (i) a member of the Royal Canadian Mounted Police,
 - (ii) a member of a municipal police service,
 - (iii) a peace officer appointed under the *Peace Officer Act* for the purposes of enforcing the *Traffic Safety Act*,
- f) "Signed subdivision" is a subdivision in the County that is identified by a County standard "subdivision entrance sign" as defined in County policy #3212.
- g) "Traffic control device" means any sign, signal, marking or device placed, marked or erected under the authority of the Traffic Safety Act for the purpose of regulating, warning or guiding traffic.
- h) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.

3. GENERAL

- 3.1 Except as provided in Section 3.4 or "Schedule A" of this Bylaw, no person shall operate any vehicle on a highway under the control of the County at a greater rate of speed than as follows:
 - a) 80 kilometers per hour is the maximum speed limit on a highway
 - b) 50 kilometers per hour is the maximum speed limit on a highway located within a hamlet, signed subdivision or highway that is for any other reason signed at 50 kilometers per hour
 - c) 30 kilometers per hour is the maximum speed limit on that portion of highway identified as a school zone or playground zone by traffic control devices during their affected hours as outlined in the Traffic Safety Act and its regulations
- 3.2 Any requests for a change to the designated rates of speed as outlined in sections 3.1(a), 3.1(b), 3.1(c) and "Schedule A" of this Bylaw shall be submitted in writing to County Council for approval.
- 3.3 All developers of new subdivision developments requiring subdivision entrance signs shall include a provision for the erection of speed limit signs pursuant to section 3.1(b) and "Schedule A" of this Bylaw. Speed limit signs shall be posted concurrently with a "subdivision entrance sign" as outlined in the County's policy #3212.
- 3.4 The Chief Administrative Officer may direct the placement of temporary Traffic Control Devices along a portion of a Highway for the purpose of setting temporary restrictions due to construction, emergency conditions or situations, maintenance or a state of repair;
- 3.5 The provisions of Section 3.4 of this Bylaw do not apply to the following Vehicles while being operated pursuant to the ordinary course of business:
 - 3.5.1 Vehicles owned or within the lawful possession of the County.

4. AUTHORITY OF PEACE OFFICER

4.1 A Peace Officer is hereby authorized to enforce the provisions of this Bylaw through the enforcement of traffic offenses as specified through the provisions of the *Traffic Safety Act*.

5. REPEAL AND EFFECTIVE DATE

5.1 This Bylaw hereby repeals the Bylaw #2011/45 and Amending Bylaw #2016/17.

READ: A First time this 14th day of March, A.D., 2017.

READ: A Second time this 14th day of March, A.D., 2017.

READ: A Third time and finally passed this 14th day of March, A.D., 2017.

REEVE

Chief Administrative Officer