

BY-LAW NO. 1170

COUNTY OF ST. PAUL NO. 19

A By-Law of the County of St. Paul #19 in the Province of Alberta to authorize the County Council to regulate the speed of highway traffic on highways subject to its direction, control and management in accordance with the laws of the Province of Alberta.

WHEREAS the Council of the County of St. Paul No. 19 considers it desirable and expedient to regulate the speed of highway traffic on highways subject to its direction, control and management in accordance with the laws of the Province of Alberta;

THEREFORE the Council of the County of St. Paul No. 19 duly assembled hereby enacts as follows:

SECTION 1

NAME OF BY-LAW

1.1 This By-Law may be cited as "the Speed Control By-Law".

SECTION 2

DEFINITIONS

2.1 In this By-Law:

- (a) "County" shall mean the County of St. Paul No. 19;
- (b) "County By-Law Enforcement Officer" means a person appointed to a position of a County By-Law Enforcement Officer by the County of St. Paul No. 19 pursuant to Section 111.1 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, as amended;
- (c) "driver" or "operator" means a person who drives or who is in actual physical control of a motor vehicle;
- (d) "Hamlet" means
 - (i) an area of land subdivided into lots and blocks as a town site, a plan of which is registered in a Land Titles Office;
 - (ii) an area of land defined by clauses (s) (i) and (iii) on which are erected improvements used for purposes other than farming purposes, or
 - (iii) an area declared by an Order of the Minister to be a Hamlet;
- (e) "highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, 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 subject to the direction, management and control of the County of St. Paul No. 19, and
 - (i) includes:
 - (A) the sidewalk (including the boulevard portion of the sidewalk),
 - (B) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (C) 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
 - (ii) does not include a place declared by the Lieutenant Governor in Council not to be a highway;

- (f) "intersection" means the area embraced within the prolongation or connection of
 - (i) the lateral curb lines or, if none
 - (ii) the exterior edges of the roadways, of 2 or more highways which join one another at an angle whether or not one highway crosses the other;
- (g) "motor vehicle" means
 - (i) a vehicle propelled by any power other than muscular power, or
 - (ii) a moped, but does not include a bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only on rails;
- (h) "Offence Tag" means a ticket, tag or similar document issued for any By-Law offence as an alternative to the issuance of summons;
- (i) "Superintendent of Public Works" shall mean the Superintendent of Public Works of the County of St. Paul No. 19;
- (j) "traffic control device" means any sign, signal, marking or device placed, marked or erected under the authority of the Highway Traffic Act for the purpose of regulating, warning or guiding traffic;
- (k) "traffic control signal" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;
- (l) "Violation Ticket" means a Violation Ticket as defined in Section 1 (k) of the Alberta Regulation 193/82, as amended, being the Violation Ticket Regulation under the Summary Convictions Act, being Chapter S-26 of the Revised Statutes of Alberta, 1980, as amended, being the Violation Ticket Regulation under the Summary Convictions Act, being Chapter S-26 of the Revised Statutes of Alberta, 1980, as amended.

SECTION 3

SPEED LIMITS

- 3.1 Unless otherwise hereinafter specifically provided, the maximum rate of speed at which a driver may operate a motor vehicle on any highway shall be **EIGHTY (80)** kilometres per hour.
- 3.2 The maximum rate of speed at which a driver may operate a motor vehicle upon a highway within any and all Hamlets located within the County shall be **FIFTY (50)** kilometres per hour.
- 3.3 The maximum rate of speed at which a driver may operate a motor vehicle upon a highway located within all school zones throughout the County shall be **THIRTY (30)** kilometres per hour.
- 3.4 The maximum rate of speed at which a driver may operate a motor vehicle upon all highways with oil surfaces shall be **EIGHTY (80)** kilometres per hour, except where otherwise posted.

SECTION 4

TRAFFIC CONTROL DEVICES

- 4.1 The Superintendent of Public Works is hereby delegated the power to prescribe where traffic control devices are to be located upon any and all highways, including traffic control devices restricting the speed of vehicles and the Superintendent of Public Works shall provide a record of all locations where traffic control devices have been erected which shall be open to the public for inspection during normal business hours.

SECTION 5

PENALTIES

- 5.1 Any person violating the maximum rate of speed at which a person may operate a motor vehicle upon highways under the direction, management and control of the County as prescribed by this bylaw shall be guilty of an offence and liable on summary conviction to a fine as prescribed by the Lieutenant Governor in Council by regulation made under the Summary Convictions Act, Revised Statutes of Alberta, 1980, Chapter S-26, as amended and the Highway Traffic Act, Revised Statutes of Alberta, 1980, Chapter H-7, as amended.

SECTION 6

OFFENCE TAG

- 6.1 The County By-Law Enforcement Officer is hereby authorized and empowered to issue an Offence Tag for any contravention of this By-Law.
- 6.2 The Offence Tag shall be in the form approved by the County By-Law Enforcement Officer and shall state, inter alia:
- (a) the name of the offender;
 - (b) the offence;
 - (c) the appropriate fine for the offence;
 - (d) that the fine shall be paid within fourteen (14) days of the issuance of the offence tag.
- 6.3 Where an Offence Tag is issued pursuant to Section 6.1 of this By-Law, the person to whom the Offence Tag is issued may, in lieu of being prosecuted for the offence, pay the County Treasurer the sum specified on the Offence Tag.

SECTION 7

VIOLATION TICKET

- 7.1 If the fine specified on an Offence Tag is not paid within the time specified therein, the County By-Law Enforcement Officer is hereby authorized and empowered to lay a complaint and issue a summons by means of a Violation Ticket.
- 7.2 The Violation Ticket shall be in the form prescribed by Alberta Regulation 1983/82, as amended, being the Violation Ticket Regulation pursuant to the Summary Convictions Act, R.S.A. 1980, c. 2-26.

SECTION 8

EFFECTIVE DATE OF BY-LAW

- 8.1 This By-Law shall come into force and effect as of third and final reading.

READ a first time this 14 day of March, A.D. 1989
READ a second time this 14 day of March, A.D. 1989
READ a third time and finally passed this 14 day of March, A.D. 1989

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Note: Refer to originals for signature