

**BYLAW NO. 04-04
OF THE TOWN OF STRATHMORE
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF ALBERTA TO REGULATE THE TRANSPORTATION OF DANGEROUS GOODS.

WHEREAS the Council of the Town of Strathmore is empowered by the Dangerous Goods Transportation and Handling Act, RSA 2000, Chapter D-4, to regulate the transportation of dangerous goods within the corporate limits;

AND WHEREAS in the interest of public safety the Town is desirous of restricting vehicles transporting dangerous goods to Dangerous Goods Routes and designated truck routes as much as possible.

NOW THEREFORE, the Council of the Town of Strathmore, **HEREBY ENACTS AS FOLLOWS:**

101. This Bylaw may be cited as the "Transportation of Dangerous Goods Routing Bylaw".
102. Definitions in the *Dangerous Goods Transportation and Handling Act* and its Regulations, as applicable; and the definitions in the *Traffic Safety Act* and its Regulations, as applicable; are adopted for the purposes of the interpretation and the application of this Bylaw.
103. No person shall transport within the corporate limits of the Town of Strathmore, any dangerous goods for which placards are required by the *Dangerous Goods Transportation and Handling Act* and its Regulations in or on any vehicle other than on an approved Dangerous Goods Route as shown in Schedule "A", attached to and forming part of the Bylaw, and as identified by such signs, as shall be posted, set out in Schedule "B", attached to and forming part of this Bylaw, unless the said person is:
 - a) obtaining dangerous goods from or delivering dangerous goods to a location in the Town of Strathmore by the most direct route between Dangerous Goods Routes; or
 - b) proceeding to or from a vehicle storage location by the most direct route between Dangerous Goods Routes.

104. Notwithstanding Section 103, where a person is required to transport dangerous goods off a designated Dangerous Goods Route, a permit may be obtained from the Town Manager or from the Fire Chief by telephoning or writing to:
- a) Town Manager
Town of Strathmore
680 Westchester Road
Strathmore, Alberta T1P 1E7
Phone: 934-3133
 - b) Fire Chief
Town of Strathmore
680 Westchester Road
Strathmore, Alberta T1P 1E7
Phone: 934-3133
105. No person transporting dangerous goods for which placards are required shall stop within the Town of Strathmore except;
- a) at a permitted storage location, meaning any area which is at least one hundred and fifty (150) metres away from the nearest residential, institutional or assembly area and is approved by the Town Manager or Fire Chief.
 - b) to load or unload;
 - c) in compliance with a Peace Officer, an Inspector or a traffic control device;
 - d) to repair or refuel the vehicle; or
 - e) in compliance with a valid permit.
106. a) A person shall, when requested by a Peace Officer, produce for the Officer's inspection any shipping document, any permit issued under this Bylaw, or any other document showing the origin and designation of all shipments and a description of any dangerous goods.

- b) Particulars obtained by a Peace Officer under this Section and tendered by him as evidence in Court shall be prima facie proof of the particulars thereon submitted in evidence without proof of the signature or official capacity of the person signing the document.
- 107.
- a) A notice or form commonly called a Violation Ticket may be issued by a Peace Officer to any person alleged to have breached any provision of this Bylaw, and that notice may require the payment in an amount as specified in Schedule "C" attached to and forming part of the Bylaw, for that particular breach of the Bylaw.
 - b) A Violation Ticket shall be deemed to be sufficiently served:
 - i) if served personally on the accused;
 - ii) if mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
 - iii) if attached to or left upon the vehicle allegedly involved in the offence.
 - c) Nothing in this Bylaw shall prevent any person from defending a charge of committing a breach of the provisions of this Bylaw.
 - d) Any person who commits a breach of any of the provisions of this Bylaw shall, on conviction for such breach, be liable to a penalty not less than \$1,000.00 (One Thousand Dollars) and not exceeding Ten Thousand Dollars (\$10,000.00), exclusive of costs, or to imprisonment, in the case of non-payment, for a term not exceeding one year, or to both fine and imprisonment.
108. Bylaw #93-11 and all amendments thereto are hereby rescinded.

109. This Bylaw shall come into full force and effect upon the date of third and final reading.

READ A FIRST TIME this 4th day of February, 2004.

READ A SECOND TIME this 4th day of February, 2004.

MAYOR

EXECUTIVE ASSISTANT

**Approved by the Minister responsible for
Alberta Transportation, or delegated representative**

THIS _____20th_____ DAY OF _February, 2004

Signature

READ A THIRD AND FINAL TIME this 17th day of March, 2004.

MAYOR

EXECUTIVE ASSISTANT

Schedule "A"
Town of Strathmore
Dangerous Goods Routes

<u>Thoroughfare</u>	<u>From</u>	<u>To</u>
1. Trans Canada Highway	Eastern Town Limits	Western Town Limits
2. Wheatland Trail (Being Secondary Highway #817)	Northern Town Limits	Southern Town Limits

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Schedule "B"
Dangerous Goods Route Signs

Schedule "C"
Schedule of Fines

	<u>Fines</u>
1. Drive vehicle carrying dangerous goods, contrary to the Bylaw	\$1,000.00
2. Stop vehicle carrying dangerous goods contrary to the Bylaw	\$1,000.00
3. Fail to produce documents that identify origin and destination of trip and a description of the load, contrary to the Bylaw.	\$1,000.00