CITY OF FORT SASKATCHEWAN

BYLAW C7-08

NOW THEREFORE, the Council of the City of Fort Saskatchewan in the Province of Alberta, in open meeting of Council, enacts as follows:

1. CITATION

This Bylaw is cited as the "Dangerous Goods Bylaw".

2. DEFINITIONS

In this Bylaw,

(a) "City" means the municipal corporation of the City of Fort Saskatchewan;

(b) "dangerous goods" means dangerous goods for which placards are required by the Dangerous Goods Transportation and Handling Act and Regulations;

(c) "Dangerous Goods Route" means those highways in the City designated in Schedule "B" attached to and forming part of this Bylaw;

(d) "Director" means the Director of Protective Services for the City or his designate;

(e) "driver" means a person who is driving or is in physical control of a vehicle;

(f) "highway" shall have the meaning assigned to it in the Traffic Safety Act;

(g) "Inspector" means a person as defined in the Dangerous Goods Transportation and Handling Act;

(h) "owner" means the registered owner of a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease;

(i) "Peace Officer" means a member of the Royal Canadian Mounted Police or a Peace Officer appointed pursuant to the provisions of the Peace Officer Act;

(j) "permit" means an Off Route Permit for the purpose of transportation of dangerous goods on a highway in the City other than a Dangerous Goods Route, as provided in Schedule "E" attached to and forming part of this Bylaw;

(k) "tag" means the document issued by a Peace Officer to any driver or owner alleged to have breached any provision of this Bylaw, as provided in Schedule "D" attached to and forming part of this Bylaw;

(l) "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; and

(m) "vehicle storage location" means the area within the City that has been designated for the purpose of parking a vehicle carrying dangerous goods, as outlined in Schedule "C" attached to and forming part of this Bylaw.

3. APPLICATION

(a) No person shall operate a vehicle carrying dangerous goods on a highway in the City
other than a highway designated as a Dangerous Goods Route.

(b) Notwithstanding sub-section 3(a), a driver or owner may apply for a permit authorizing the transportation of dangerous goods on a highway in the City other than a Dangerous Goods Route for the purpose of collecting or delivering dangerous goods from or to a location off a Dangerous Goods Route.

(c) Upon request by a driver or owner during regular business hours, the Director may issue a permit authorizing the transportation of dangerous goods on a highway in the City other than a Dangerous Goods Route where:

(i) for any reason the Dangerous Goods Route cannot be used by the driver or owner, or
(ii) the Dangerous Goods Route does not reach the destination of the driver or owner,

provided that such transportation may, in the opinion of the Director, be conducted safely.

(d) To collect or deliver dangerous goods from or to a location off a Dangerous Goods Route the driver or owner shall:

(i) proceed on a street directly to the collection or delivery point, and
(ii) return to the Dangerous Goods Route on the same street used for accessing the collection or delivery point.

(e) As a condition of issuing the permit, the Director may impose any or all of the following conditions:

(i) that a copy of the permit or, where a permit is issued by telephone, the permit number shall be carried at all times in the vehicle,

(ii) that the driver and/or owner shall indemnify and hold harmless the City, its employees, officials and agents against all actions, suits, claims, damages, losses or expenses, including legal expenses (on a solicitor and his own client full indemnity basis), that may result from or be connected, directly or indirectly, to the transportation of dangerous goods,

(iii) that the driver and/or owner shall take every precaution necessary to prevent damage to property or injury to persons as a result of transportation of such dangerous goods, or

(iv) such other conditions as the Director may deem necessary including but not limited to restricting the gross vehicle weight, number of trailers, and times and dates on which such routes may be used.

(f) A driver or owner transporting dangerous goods shall not stop at anytime within the City except:

(i) at a traffic control device,
(ii) at a vehicle storage location,
(iii) to collect or deliver dangerous goods,
(iv) in compliance with a valid permit,
(v) in compliance with a Peace Officer or an Inspector.

(g) A driver or owner shall, when requested by a Peace Officer or Inspector, produce any shipping document or permit, or any other document showing the origin, destination or description of the dangerous goods.
4. PENALTIES

(a) A tag may be issued by a Peace Officer to a driver or owner alleged to have breached any provision of this Bylaw.

(b) A tag issued pursuant to this Bylaw shall require payment of the specified penalty as provided in Schedule “A” attached to and forming part of this Bylaw.

(c) A tag shall be deemed to be sufficiently served if:
   (i) served personally on the driver or owner; or
   (ii) mailed to the address of the driver or owner; or
   (iii) attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.

(d) Should a driver or owner not pay the specified penalty and a prosecution has been entered against him, he shall be liable on summary conviction to pay the minimum penalty equal to the specified penalty on the tag, and in default of payment, the penalty imposed by the Court.

(e) Nothing in this Bylaw shall:
   (i) prevent any person from exercising his right to defend any charge laid for contravention of this Bylaw, or
   (ii) prevent any Peace Officer, in lieu of serving a tag, from serving a violation ticket against any driver or owner for contravention of this Bylaw.

(f) Any driver or owner who contravenes any provision of this Bylaw, for which no penalty has herein been specified, shall be liable on summary conviction to a fine not exceeding $10,000, and in default of payment, the penalty imposed by the Court.

5. OTHER

(a) Each section of this Bylaw shall be read and construed as being separate and severable from each other section. Furthermore, should any section of this Bylaw be found to have been improperly enacted for any reason, then such section shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

(b) Wherever the singular, plural, masculine, feminine or neuter is used throughout this Bylaw the same shall be construed as meaning the singular, plural, masculine, feminine, neuter, body politic or body corporate where the fact or context so requires in the provisions hereof.

(c) Any reference to a statute shall include and shall be deemed to be a reference to such statute and to the regulations made pursuant thereto and promulgated thereunder with all amendments made thereto and in form from time to time and any final judicial decisions interpreting the same and to any statute or regulation that may be passed which has the effect of supplementing or superseding the statute so referred to or the regulations made pursuant thereto.

(d) The headings in this Bylaw are for convenience of reference only and shall not affect the scope, intent or interpretation of any provision.

6. REPEAL

Bylaw C18-88, and all amendments thereto, is hereby repealed.
7. ENACTMENT

This Bylaw shall become effective upon third and final reading.

READ a first time in Council this 11th day of March, A.D. 2008.

Deputy Mayor

Legislative Services Director

APPROVED by the Minister responsible for Alberta Infrastructure and Transportation, or his delegated representative, this 14th day of March, 2008.

Signature

READ a second time in Council this 8th day of April, A.D. 2008.

READ a third time in Council this 8th day of April, A.D. 2008.

Mayor

Legislative Services Director
### SCHEDULE “A”

#### PENALTIES

<table>
<thead>
<tr>
<th>OFFENCE</th>
<th>SECTION</th>
<th>FINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operate a vehicle carrying dangerous goods on a highway in the City other than a highway designated as a Dangerous Goods Route</td>
<td>3(a)</td>
<td>$500.00</td>
</tr>
<tr>
<td>Operate a vehicle carrying dangerous goods on a highway in the City other than a Dangerous Goods Route in violation of a permit</td>
<td>3(b)</td>
<td>$500.00</td>
</tr>
<tr>
<td>Stopping a vehicle in the City transporting dangerous goods</td>
<td>3(f)</td>
<td>$500.00</td>
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<tr>
<td>Failure to provide documents</td>
<td>3(g)</td>
<td>$500.00</td>
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SCHEDULE "D"

TAG

CITY OF FORT SASKATCHEWAN
PAYABLE AT THE RCMP STATION
9901 - 90 STREET
FORT SASKATCHEWAN, AB T8L 3T1

CITY OF FORT SASKATCHEWAN

THIS TAG ISSUED FOR BREACH OF SECTION ______________

PART __________________

☐ BY-LAW NO. __________________ ___________ ACT
☐ OTHER

PENALTY $__________

License & Year __________________ Make __________________

Type of Animal __________________ Colour __________________

Date __________________ Time M __________________

Offence and Location __________________

Name __________________

Address __________________

YOU MAY AVOID PROSECUTION FOR THIS OFFENCE
BY PAYING THE PENALTY ABOVE WITHIN SEVEN DAYS.
TO THE ADDRESS INDICATED ABOVE. FAILURE TO DO
SO WILL RESULT IN PROSECUTION.

PENALTY MAY BE REMITTED BY MAIL. (CHEQUE OR
MONEY ORDER ONLY) BUT MUST BE ACCOMPANIED
BY THIS TAG. RECEIPT SUPPLIED ON REQUEST IF
SENDERS NAME AND ADDRESS ARE FURNISHED.

PHONE (780) 922-8100 FOR ENQUIRIES.

Issuer __________________

THIS TAG MUST BE PRESENTED

0510 A
<table>
<thead>
<tr>
<th>PERMIT NO.:</th>
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<tr>
<th>PERMISSION IS HEREBY GRANTED TO:</th>
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<tbody>
<tr>
<td>Address:</td>
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<td>Code:</td>
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To transport the following **Dangerous Goods**:

<table>
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<th>From:</th>
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<td>To:</td>
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<td>Via:</td>
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<tr>
<th>Permit Valid From:</th>
<th>Date:</th>
<th>Time:</th>
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<tbody>
<tr>
<td>Permit Valid To:</td>
<td>Date:</td>
<td>Time:</td>
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<table>
<thead>
<tr>
<th>Description of Vehicle:</th>
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<table>
<thead>
<tr>
<th>Total Capacity:</th>
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<table>
<thead>
<tr>
<th>Vehicle License No.:</th>
<th>Operator's Name / License No.:</th>
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**CONDITIONS:**

1. This permit or a copy must be carried in the vehicle or vehicles affected.
2. The applicant shall keep the City of Fort Saskatchewan fully indemnified from any loss or damage that may arise from the transportation of the said dangerous goods.
3. The applicant shall take every precaution necessary to prevent damage to property or injury to person or persons as a result of the transportation of the said dangerous goods.
4. Failure to comply with the conditions of this permit may result in prosecution.
5. Vehicles not to be left unattended or parked in residential area.
6. Proceed on a Dangerous Goods Route to the street which forms the most direct route to site and return to dangerous goods route on the same street.

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<tr>
<th>Additional Conditions:</th>
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Name of Company

Date & Time Issued

Signature of Applicant

Protective Services Director

The information on this form is collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act and is used solely for the purposes relating to the operation/administration of Protective Services. If you have questions about the collection, please contact the FOIP Coordinator for the City of Fort Saskatchewan at (780)992-6580.