BYLAW 1534-24
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA

BEING A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO REGULATE THE TRANSPORTATION OF DANGEROUS GOODS

WHEREAS, the Council of the Town of Pincher Creek, duly assembled, deems it advisable to set forth the terms and conditions to regulate the transportation of dangerous goods in and through the Town of Pincher Creek.

AND WHEREAS, in the interest of public safety the Town is desirous of restricting vehicles transporting dangerous goods to Dangerous Goods Truck Routes as much as possible;

NOW THEREFORE, the Council of the Town of Pincher Creek, under the authority vested in it by Section 17 of the *Dangerous Goods Transportation and Handling Act*, RSA 2000, c D-4 (the "*Dangerous Goods Transportation and Handling Act*"), hereby enacts as follows:

1. **Short Title**
   1.1 This Bylaw may be cited as the "Transportation of Dangerous Goods Routing Bylaw".
2. **Definitions**
   2.1 Unless otherwise defined, this Bylaw adopts the definitions contained in:
   (a) The *Dangerous Goods Transportation and Handling Act* and its *Regulations*, as amended; and
   (b) The *Traffic Safety Act*, RSA 2000, c T-6 and its *Regulations*, as amended..
   2.2 For the purposes of this Bylaw, 'placardable quantities' means:
   (a) A consignment of dangerous goods in a quantity that requires placard(s) pursuant to the *Transportation of Dangerous Goods Regulations; or*
   (b) An intermediate bulk container displaying labels pursuant to Section 4.15.3(c) of the *Transportation of Dangerous Goods Regulations, SOR/2001-286*, as amended.
3. **Transportation of Dangerous Goods**
   3.1 Subject to this bylaw, all vehicles transporting dangerous goods are also subject to the Traffic Bylaw as amended from time to time.
   3.2 No person shall transport, in or on a vehicle within the corporate limits of the Town of Pincher Creek, any dangerous goods in placardable quantities unless the vehicle is travelling on an approved Dangerous Goods Route as shown on the map in Schedule "A" to this Bylaw.
   3.3 Section 3.2 applies to all persons, except those who are:
   (a) Obtaining or delivering dangerous goods in placardable quantities at a location in the Town of Pincher Creek 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.

3.4 Notwithstanding Section 3.2, where a person is required to transport dangerous goods in placardable quantities off a designated Dangerous Goods Route, a permit (Schedule "D") may be obtained from the Municipality or from the Fire Chief by telephoning or writing to:

(a) Municipality

Town of Pincher Creek
962 St. John Avenue
PO Box 159
Pincher Creek, Alberta T0K 1W0
403-627-3156
Monday to Friday 8:00 am – 4:00 pm

(b) Fire Chief

Pincher Creek Emergency Services Commission
655 Charlotte Street
PO Box 1086
Pincher Creek, Alberta T0K 1W0
403-627-5333
Monday to Friday 8:00 am – 5:00 pm

3.5 No person transporting dangerous goods in placardable quantities shall stop within the Municipality except:

(a) At a permitted storage location, meaning any area which is at lease one hundred and fifty (150) meters away from the nearest residential, institutional or assembly area and is approved by the Fire Chief;
(b) To load or unload
(c) In compliance with a Peace Officer, a Bylaw Enforcement Officer an Inspector or a traffic control device;
(d) To repair or refuel the vehicle, or
(e) In compliance with a valid permit.

3.6 Documentation

(a) Unless otherwise exempted by the *Transportation of Dangerous Goods Regulations*, a person shall, when requested by a Peace Officer or Bylaw Enforcement Officer, produce for the Officer's inspection any shipping document, any permit issued under this Bylaw, or any other document showing the designation of all shipments and a description of any dangerous goods.
(b) Any document obtained be a Peace Officer or Bylaw Enforcement Officer under this Section, shall be admitted in evidence as proof, in absence of evidence to the contrary, without proof of the signature or official character of the person who signed ore certified the copies of the document.

3.7 Violation Ticket

(a) A violation ticket, notice or form commonly called an Offence Ticket may be issued by a Peace Officer or Bylaw Enforcement Officer to any person alleged to have breached any provision of this Bylaw, and that violation ticket may require the payment in an amount, not to exceed One Thousand Dollars ($1000), as specified in Schedule "C", attached to and forming part of the Bylaw, for that particular breach of the Bylaw;

(b) An Offence Ticket shall be deemed to be sufficiently served when it is:
   i. Served personally on the accused;
   ii. Mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
   iii. 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 the 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 exceeding One Thousand Dollars ($1000), exclusive of costs, or to imprisonment, in the case of non-payment, for a term not exceeding six (6) months, or to both fine and imprisonment.

4. This Bylaw shall come into force on the date of its approval by the Minister of Transportation and Economic Corridors.
5. Bylaw 1534 and amendments thereto is repealed upon Ministerial approval of Bylaw 1534-24.

READ A FIRST TIME THIS 22nd DAY OF JULY, 2024.

READ A SECOND TIME THIS 22nd DAY OF JULY, 2024.

READ A THIRD TIME AND FINALLY PASSED THIS 9th DAY OF SEPTEMBER, 2024.

Mayor, Don Anderberg

CAO, Konrad Dunbar

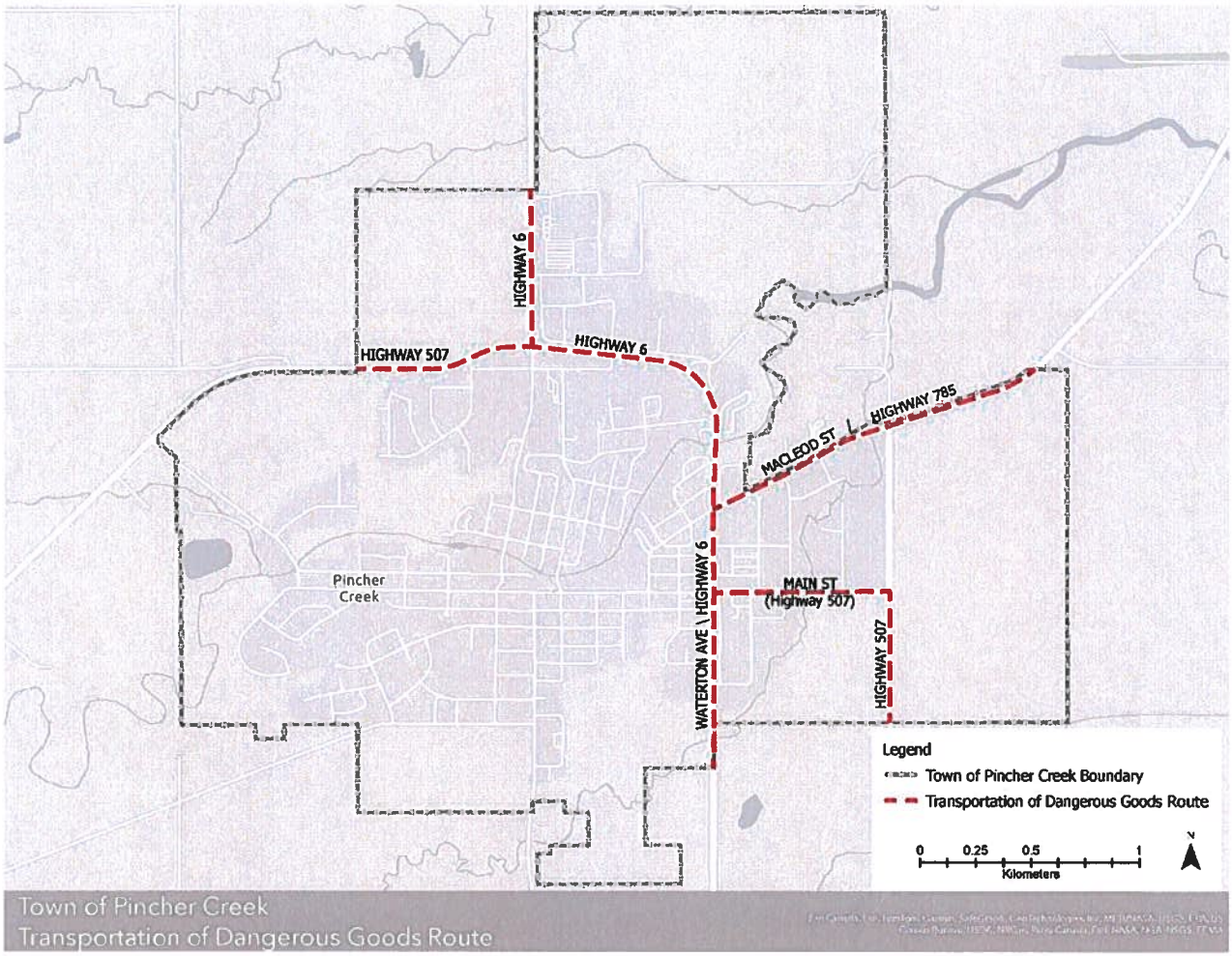
APPROVED BY THE MINISTER OF TRANSPORTATION AND ECONOMIC CORRIDORS

THIS 28th DAY OF October, 2024

(Signature)

Schedule "A"

Dangerous Goods Truck Routes



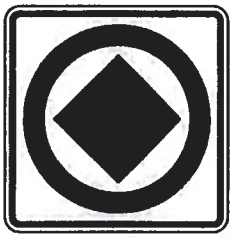
Schedule "B"

Signage

A2.9.3 Dangerous Goods Route Signs

Dangerous goods route signs are used to indicate regulations related solely to the movement on roads of vehicles classified as dangerous goods carriers.

A2.9.3.1 Dangerous Goods Route Sign (RB-69)



RB-69
600 mm x 600 mm

The Dangerous Goods Route sign indicates that dangerous goods carriers, as prescribed by legislation, are permitted to travel along a road.

The sign must be supplemented with proper advance and directional arrows (IS-5 to IS-9) to indicate a turn or a change in direction of a designated route. Advance turn arrow tab signs should be installed at a point between 50 m and 150 m in advance of an intersection where the route changes direction.

A2.9.3.2 Dangerous Goods Prohibited Sign (RB-70)



RB-70
600 mm X 600 mm

The Dangerous Goods Prohibited sign indicates that dangerous goods carriers, as prescribed by legislation, are prohibited from travelling along a road.

The sign is installed on the road on which the dangerous goods carriers are prohibited, at the point where the road intersects a dangerous goods route. This provides an opportunity to direct dangerous goods carriers to the appropriate route.

2014 – TAC – Manual of Uniform Traffic Control Devices for Canada

Schedule "C"

Specified Penalties

1. Vehicle transporting dangerous goods in placardable quantities contrary to this Bylaw
   $700
2. Stopped vehicle transporting dangerous goods in placardable quantities contrary to this Bylaw
   $700
3. Failure to produce documentation contrary to this Bylaw
   $400

Schedule "D"

Off Route Permit

Office Of:

Off Route Permit Number

_____

Permission is hereby granted to: _____

_____

Address: _____ Phone: _____

To Transport the following Dangerous Goods: _____

From: _____

To: _____

Via: _____

_____

Permit Valid From (date/time): _____ To (date/time): _____

Description of Vehicle: _____

_____

Vehicle License Number: _____

CONDITIONS:

1. This permit number (if issued by telephone) or copy of this permit must be carried in the vehicle or vehicles affected.
2. The applicant shall keep the Town of Pincher Creek 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 dangerous goods.
4. When loading or unloading dangerous goods, no portion of the vehicle shall protrude on or into any pedestrian or vehicular right-of-way.
5. Failure to comply with the conditions of this permit may result in prosecution.

Additional Conditions: _____

_____

_____ _____

Name of Company Date and Time Issued

_____ _____

Signature (or name) of Applicant Chief or Designate