

BYLAW #01-2004

TOWN OF LEGAL DANGEROUS GOODS CONTROL ROUTE BYLAW

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

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

AND WHEREAS, in the interests of public safety, the Town of Legal is desirous of restricting vehicles transporting dangerous goods to dangerous goods routes as much as possible.

NOW THEREFORE the Council of the Town of Legal, Duly Assembled, enacts as follows: follows:

1. This Bylaw may be cited as the "Dangerous Goods Control Route Bylaw."
2. Definitions contained in the Dangerous Goods Transportation and Handling Act, RSA 2000, Chapter D-4, as applicable; and the definitions of the Traffic Safety Act, RSA 2000, Chapter T-6.
3. In this Bylaw:
 - (a) "Carrier", means any person transporting dangerous goods in, into, through or out of the Town of Legal, by any vehicle;
 - (b) "Dangerous Goods", means dangerous materials for which placards are required by the Transportation of Dangerous Goods Act and Regulations;
 - (c) "Dangerous Goods Route signs", means those signs identified in Schedule "A" attached to and forming part of this Bylaw;
 - (d) "Dangerous Goods Route", means any highway so designated in schedule "B" attached to and forming part of this Bylaw which shall be posted with Dangerous Goods Route Signs.
 - (e) "Service Station or Repair Depot", means any premises licensed for the purposes of dispensing fuel or carrying out mechanical repairs;
 - (f) "Truck Route", means a truck route as outlined in Schedule I of the Traffic Bylaw, No. 02-97; and
 - (g) "Vehicle Storage Location", means any area which is at least Fifty (50) meters away from the nearest residential, institutional or assembly occupancy, which may be designated and has been accepted by the Fire Chief or an official designated by the Town Chief Administrative Officer or other location accepted by the Fire Chief or an official designated by the Town Chief Administrative Officer.
4. Subject to section 6, no carrier shall transport Dangerous Goods other than on a Dangerous Goods Route except:
 - (a) to obtain or deliver dangerous goods from or to a location off a dangerous goods route or to gain access to a vehicle storage location (if one is so designated), in which event he shall:
 - (i) proceed on a dangerous goods route to the truck route which forms the most direct route to the collection or delivery point or the vehicle storage location (if designated);
 - (ii) proceed on a truck route specified in (i) directly to the collection or delivery point or the vehicle storage location (if designated); and
 - (iii) if applicable, proceed on the street specified, in (ii) directly to the collection or delivery point or in the vehicle storage location (if designated); and

- (iv) return to the dangerous goods route on the same street and truck route; or
 - (b) to obtain emergency repair or service at the nearest service station or repair depot located on a truck route:
5. No carrier shall stop within the Town of Legal except;
- (a) in compliance with a peace officer, an inspector or a traffic control device;
 - (b) to load or unload;
 - (c) to repair or refuel the vehicle; or
 - (d) at a vehicle storage location (if designated)
6. (a) A carrier may apply for a special permit to transport dangerous goods off a designated Dangerous Goods route other than in a manner set out in section 4.
- (b) On application by telephone or in writing to the Town of Legal, Box 390, 5021 – 50 Street, T0G 1L0, (780) 961-3773 a special permit may be issued by the Town Chief Administrative Officer through the Fire Chief or an official authorized by the Town Chief Administrative Officer. Applications shall contain evidence to support that compliance with section 4 is impracticable.
- (c) The Fire Chief or an official authorized by the Town Chief Administrative Officer may issue a special permit granting total or partial exemption from the requirements of section 4 and may impose any terms or conditions considered necessary in the circumstances to safeguard the citizens of the Town of Legal and their property.
- (d) Any contravention of the terms and conditions contained in a special permit issued pursuant to subsection (c) shall render such permit invalid.
7. (a) A carrier shall, when requested to do so by a peace officer, produce for such officer's inspection the shipping document showing the description, origin, and destination of all consignments of Dangerous Goods being transported.
- (b) Particulars obtained by a peace officer from a shipping document produced under subsection (1) and submitted by him in evidence in court shall be prima facie proof of the particulars therein without proof of signature or official capacity of the person signing the shipping document.
8. (a) Where a peace officer of the Town of Legal, or a member of the Royal Canadian Mounted Police, believes that a person has contravened a provision of this Bylaw, he may serve upon or mail such person a tag.
- (b) The tag shall be in such form as the Town of Legal determines and shall indicate thereon the date of the offense, the time of the offense, the place the offense occurred and the section of the Bylaw which was contravened.
- (c) Upon issuance of a tag for a breach of sections 4 of 5 of this Bylaw, the penalty of Two Hundred (\$200.00) shall apply.
- (d) Notwithstanding the other provisions of this section, a person to whom a tag is served or mailed pursuant to subsection (b), may exercise the right to defend any charge of a contravention of any of the provisions of this Bylaw indicated on the tag.
- (e) A person authorized to issue a tag as provided in subsection (a) is not required to issue a tag in respect to the contravention if, in his sole discretion, it seems expedient to him to issue a summons prosecuting the offense instead of issuing a tag.
9. This bylaw does not come into force until it is approved by the designated Minister pursuant to Dangerous Goods Transportation and Handling Act, RSA 2000, Chapter D-4.

This bylaw rescinds Bylaw #04-97.

READ a first time in Council this 19th day of January, A.D. 2004,




Mayor



Chief Administrative Officer

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


THIS 30th DAY OF January, 2004.


Signature Eric Dr. D. O. B. S.

READ a second time in Council this 2nd day of February, A.D. 2004,



Mayor



Chief Administrative Officer

READ a third and final time in Council this 2nd day of February, A.D. 2004,



Mayor



Chief Administrative Officer

BYLAW NO. 01-2004
of the
TOWN OF LEGAL
SCHEDULE "A"

DANGEROUS GOODS CONTROL ROUTE

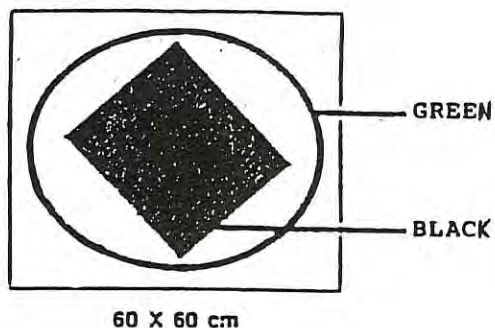
Dangerous goods Route Signs

Dangerous goods route signs will be used to indicate regulations solely to the movement on streets and highways of vehicles classified as Dangerous Goods carriers.

Dangerous Goods Route Sign (RB-69)

The Dangerous Goods route Sign indicates that the Dangerous Goods carriers, as prescribed by legislation, are permitted to travel along a street or a highway.

The sign shall be supplemented with proper advance and directional arrows (1B-5 to 1B-9) to indicate a turn or change in the direction of a designated route. Advance turn arrows shall be installed at a point not less than 50m nor more than 150m in advance of an intersection where the route changes direction.



The TAB sign (RB-69T) may be used for an educational period.

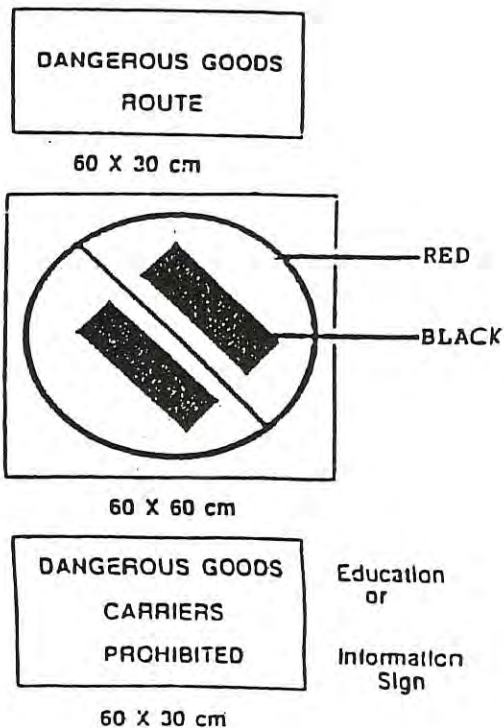
Dangerous Goods Prohibition sign (RB-70)

The Dangerous Goods prohibition sign indicates that Dangerous Goods Carriers as prescribed by legislation, are prohibited from traveling upon a street or a highway.

The sign will be installed along the street or highway on which the Dangerous Goods carriers are prohibited, at the point at which such street or highway intersects a Dangerous Goods Route, to prohibit the illegal entry of these vehicles.

The TAB sign (RB-70TO) may be used for an education period.

The signs shall be reflector or illuminated to show the same color and shape by night as by day.



BYLAW NO. 01-2004
of the
TOWN OF LEGAL
SCHEDULE "B"

DANGEROUS GOODS ROUTE

NORTH AND SOUTH ON 50TH STREET AND EAST AND WEST ON 50TH AVENUE
WITHIN TOWN BOUNDARIES.

BYLAW NO. 01-2004
of the
TOWN OF LEGAL
SCHEDULE "C"

DESIGNATED VEHICLE STORAGE LOCATION

ON 52ND STREET SOUTH OF 50TH AVENUE