

OFFICE CONSOLIDATION

BYLAW NUMBER 41M2002

BEING A BYLAW OF THE CITY OF CALGARY TO CONTROL AND REGULATE PARKING WITHIN THE CITY

(Amended by 28M2003, 16M2010, 29M2016, 1H2019, 72M2021)

WHEREAS the Province of Alberta has passed the Traffic Safety Act (R.S.A. 2000, c. T-6), which authorizes a Municipality to make bylaws regulating the use of highways and the parking of vehicles;

AND WHEREAS the Traffic Safety Act repeals the Highway Traffic Act and its provisions with respect to the parking of vehicles;

AND WHEREAS the proclamation of the Traffic Safety Act will create a legislative gap with respect to parking restrictions;

AND WHEREAS the Traffic Safety Act has not been proclaimed, and is expected to be proclaimed on March 1, 2003;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

SHORT TITLE

1. This Bylaw may be cited as the "Calgary Parking Bylaw".

INTERPRETATION

2. (1) In this Bylaw:
 - (a) "Act" means the Traffic Safety Act (R.S.A. 2000 c. T-6), as amended or substituted from time to time;
 - (b) "Boulevard" means, in an urban area, that part of a highway that:
 - (i) is not a roadway; and
 - (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;

- (c) *"Cross Walk"* means:
- (i) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on the opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - (ii) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or by other markings on the road surface;
- (d) *"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:
- (i) includes:
 - (a) a 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;
- (d.1) *"Officer"* means a Bylaw Enforcement Officer appointed under the Bylaw Enforcement Officers Appointment Bylaw 60M86, or an officer appointed under the *Peace Officer Act*, S.A. 2006, c. P-3.5 or under the *Police Act*, R.S.A. 2000, c. P-17;

(72M2021, 2022 January 01)

- (e) *"Park"*, when prohibited, means allow a vehicle (whether occupied or not) to remain standing in one place, except:
- (i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers; or
 - (ii) when standing in obedience to an Officer or a Traffic Control device;

(72M2021, 2022 January 01)

- (f) DELETED BY 72M2021, 2022 JANUARY 01;
 - (g) “*Sidewalk*” means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between:
 - (i) the curb line; or
 - (ii) where there is no curb line, the edge of the roadway, and the adjacent property line, whether or not it is paved or improved;
 - (h) “*Traffic Control Device*” means any sign, signal, marking or device placed, marked or erected under the authority of this *Act* for the purpose of regulating, warning or guiding traffic.
- (2) Words which have been defined in the *Act* have the same meaning when used in this Bylaw unless otherwise defined in Subsection (1) or where the context expressly requires otherwise.

PROHIBITIONS

3. (1) Unless required or permitted by the *Act* or by a Traffic Control Device, or in compliance with the directions of an Officer, or to avoid conflict with other traffic, a driver of a vehicle shall not stop or park that vehicle:
- (a) on a Sidewalk or Boulevard;
 - (b) on a Crosswalk or on any part of a Crosswalk;
 - (c) within an intersection other than immediately next to the curb in a “T” intersection;
 - (d) at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the driver’s vehicle is parked in a space where a parking meter or other Traffic Control Device indicates parking is permitted;
 - (e) within 5 metres on the approach to a stop sign or yield sign;
 - (f) within 5 metres of any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant;
 - (g) within 1.5 metres of an access to a garage, private road or driveway, or a vehicle crossway over a Sidewalk
 - (h) within 5 metres of the near side or of a marked Crosswalk;
 - (i) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - (j) on any bridge or in any subway or on the approaches to either of them;

- (k) at any other place where a Traffic Control Device prohibits stopping or parking, during the times stopping or parking is so prohibited;
 - (l) on the roadway side of a vehicle parked or stopped at the curb or edge of the roadway; or
 - (m) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder police officers, firemen, ambulance drivers or assistants or rescue officers or volunteers.
(72M2021, 2022 January 01)
- (2) A person shall not park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises on a highway.
(28M2003, 2003 May 20)

PARALLEL PARKING

4. (1) When parking on a roadway, a driver of a vehicle shall park that vehicle with the sides of it parallel to the curb or edge of the roadway and:
- (a) with the right hand wheels of it not more than 500 millimetres from the right hand curb or edge of the roadway; or
 - (b) in the case of a one-way Highway where parking on either side is permitted, with the wheels closest to a curb or edge of the roadway no more than 500 millimetres from that curb or edge and with the vehicle facing the direction of travel authorized for that Highway.
- (2) This section does not apply where angle parking is permitted or required.

ANGLE PARKING

5. (1) Pursuant to section 11(2) of the *City of Calgary Charter, 2018 Regulation*, AR 40/2018 (the "*Charter*"), section 8(3)(b) of the *Charter* has application on and after March 18, 2019.
- (2) When:
- (a) a sign indicates that angle parking is permitted or required, and
 - (b) parking guidelines are visible on the roadway,
- a person may only park a vehicle with the vehicle's sides between and parallel to any 2 of the guidelines and
- (c) a wheel of the vehicle not more than 500 millimetres from the curb or edge of the roadway, and
 - (d) the vehicle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the vehicle is parked.

(3) When:

- (a) a sign indicates that angle parking is permitted or required, and
- (b) no parking guidelines are visible on the roadway,

a person may only park a vehicle with the vehicle's sides at an angle of between 30 and 60 degrees to the curb or edge of the roadway and:

- (c) a wheel of the vehicle not more than 500 millimetres from the curb or edge of the roadway, and
- (d) the vehicle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the vehicle is parked.

(1H2019, 2019 March 19)

PARKING ADJACENT TO PAINTED LINES ON A ROADWAY

5.1 Despite sections 45 and 46 of the *Use of Highway and Rules of the Road Regulation*, AR 304/2002, where a traffic control device indicates that parking is permitted adjacent to a painted line on a roadway, that line is deemed to be the curb for the purposes of sections 4 and 5 of this Bylaw.

(1H2019, 2019 March 19)

PARKING ON HILLS

6. No person shall permit a vehicle to stand unattended on any grade or slope without first having:

- (a) effectively set the vehicle's brake; and
- (b) turned the front wheels to the nearest curb or edge of the roadway in such a manner as to impede any movement of the vehicle.

VEHICLE ON A JACK

7. No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or a similar device and:

- (a) one or more wheels have been removed from the vehicle; or
- (b) part of the vehicle is raised.

ABANDONING VEHICLES

8. (1) Except as otherwise permitted under the *Act* or a bylaw, a person shall not:

- (a) abandon a vehicle on a highway; or

- (b) abandon a vehicle on public or private property without the consent of the owner or person in possession or control of the property.
- (2) A vehicle that is:
 - (a) left standing on a highway for more than 72 consecutive hours, unless otherwise provided for in a bylaw; or
 - (b) left standing on public or private property for more than 72 consecutive hours without the consent of the owner or person in possession or control of the property;

is deemed to have been abandoned at that location.

(28M2003, 2003 May 20)

OWNER LIABLE

- 9. (1) If a vehicle is involved in an offence referred to in this Bylaw, the owner of that vehicle is guilty of an offence.
- (2) Subsection (1) does not apply if the owner of the vehicle satisfies the Court that the owner did not park the vehicle, and that the person who parked the vehicle did so without the owner's express or implied consent.

(28M2003, 2003 May 20)

TRAFFIC TAGS

- 10. (1) Where an Officer believes that a vehicle is parked in contravention of this Bylaw, he may:
 - (a) place a tag on the vehicle; or
 - (b) send a tag to the registered owner of the vehicle by ordinary mail.

(72M2021, 2022 January 01)

- (2) A tag must set out a specified penalty for the contravention, and may provide for early payment amounts.

(16M2010, 2010 March 08)

- (3) If a person who is responsible for a contravention of a provision of this Bylaw pays an early payment amount or the specified penalty amount within the times and in the manner set out on the tag, such payment will be accepted in lieu of prosecution.

(16M2010, 2010 March 08)

- (4) If payments referred to in subsection (3) are not made within the times and in the manner set out on the tag, a Violation Ticket may be issued to the registered owner of the vehicle in accordance with the Provincial Offences Procedures Act, R.S.A. 2000, c. S-1.

- (5) Nothing in this Section shall:

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- (a) prevent any person from exercising his right to defend any charge of committing a breach of any Section of this Bylaw; or
- (b) prevent any Officer, in lieu of serving a tag, from issuing a Violation Ticket to a person or a registered owner pursuant to the Provincial Offences Procedures Act, R.S.A. 2000, c. S-1.

(72M2021, 2022 January 01)

- (6) The specified penalties and early payment amounts referred to in this Section are as set out in Schedule "A" of this Bylaw, which shall form part of this Bylaw.
- (7) A person other than the owner or operator of a vehicle shall not remove any tag or notice placed on or affixed to a vehicle by an Officer in the course of his duties.

(72M2021, 2022 January 01)

- (8) No person other than an Officer or another person authorized by the Chief of Police or by this Bylaw shall place a tag on any vehicle.

(28M2003, 2003 May 20)

(72M2021, 2022 January 01)

11. This Bylaw comes into force on May 20, 2003.

(28M2003, 2003 May 20)

READ A FIRST TIME THIS 16th DAY OF DECEMBER, 2002.

READ A SECOND TIME THIS 16th DAY OF DECEMBER, 2002.

READ A THIRD TIME THIS 16th DAY OF DECEMBER, 2002.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	PROVINCIAL SPECIFIED PENALTY
3(1)(a)	Stopping or Parking on a Sidewalk or Boulevard	\$40.00	\$50.00	\$68.00
3(1)(b)	Stopping or Parking on a Crosswalk	\$40.00	\$50.00	\$68.00
3(1)(c)	Stopping or Parking within an Intersection	\$40.00	\$50.00	\$68.00
3(1)(d)	Stopping or Parking too near Intersection	\$40.00	\$50.00	\$68.00
3(1)(e)	Stopping or Parking too near Stop or Yield Sign	\$40.00	\$50.00	\$68.00
3(1)(f)	Stopping or Parking too near Fire Hydrant	\$40.00	\$50.00	\$68.00
3(1)(g)	Obstructing Access to Private Property	\$40.00	\$50.00	\$68.00
3(1)(h)	Stopping or Parking too near Marked Crosswalk	\$40.00	\$50.00	\$68.00
3(1)(i)	Stopping or Parking too near Street Excavation or Obstruction	\$40.00	\$50.00	\$68.00
3(1)(j)	Stopping or Parking on Approaches to Bridge or Subway	\$40.00	\$50.00	\$68.00
3(1)(k)	Stopping or Parking where Prohibited by a Traffic Control Device	\$40.00	\$50.00	\$68.00
3(1)(l)	Stopping or Parking on the Roadway side of Another Vehicle	\$40.00	\$50.00	\$68.00
3(1)(m)	Stopping or Parking in a Manner that Obstructs Access by Emergency Personnel to the Site of an Incident	\$120.00	\$150.00	\$203.00
3(2)	Park a Vehicle on a Highway for Advertising	\$40.00	\$50.00	\$68.00
4(1)	Parallel Parking too far from Curb or facing the Wrong Way	\$40.00	\$50.00	\$68.00

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5(2) and (3)	Improper Parking where Angle Parking is Indicated	\$40.00	\$50.00	\$68.00
6	Unattended Vehicle on Slope without Proper Precautions	\$40.00	\$50.00	\$68.00
7(a)	Unattended Vehicle on Jack with Wheel Removed	\$40.00	\$50.00	\$68.00
7(b)	Unattended Vehicle on Jack with part of Vehicle Raised	\$40.00	\$50.00	\$68.00
8(1)(a)	Abandon a Vehicle on a Highway	\$160.00	\$200.00	\$270.00
8(1)(b)	Abandon a Vehicle on Public or Private Property	\$160.00	\$200.00	\$270.00

(16M2010, 2010 March 08)
(29M2016, 2016 June 20)
(1H2019, 2019 March 19)