

BYLAW No. 5254

A BYLAW OF THE CITY OF LETHBRIDGE
RESPECTING THE DANGEROUS GOODS TRANSPORTATION AND
HANDLING BYLAW

WHEREAS the City 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 interests of public safety the City is desirous of restricting vehicles transporting dangerous goods to Dangerous Goods Truck Routes and designated truck routes as much as possible;

THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Dangerous Goods Transportation and Handling Bylaw."
2. Definitions contained in the Dangerous Goods Transportation and Handling Act and Regulations, as applicable, are adopted for the purposes of the interpretation and application of this Bylaw.
3. In this Bylaw:
 - a) "Assembly Occupancy" means the occupancy or the use of a building or part thereof by a gathering of persons for civic, political, travel, religious, social, educational, recreational or like purposes, or for the consumption of food or drink.
 - b) "Carrier" means any person transporting dangerous goods in, into, through or out of the City by any vehicle and includes the owner of the said vehicle.
 - c) "Dangerous Goods" means dangerous goods for which placards are required by the Dangerous Goods Transportation and Handling Act and Regulations.
 - d) "Dangerous Goods Route Signs" means those signs identified in Schedule "A" attached to and forming part of this Bylaw.

- e) "Dangerous Goods Truck Route" means any highway so designated in Schedule "B" attached to and forming part of this Bylaw which may be posted with Dangerous Goods Routes Signs.
 - f) "Fire Chief" means the Fire Chief of the City of Lethbridge Fire Department or his designate.
 - g) "Service Station or Repair Depot" means any premises licensed for the purposes of dispensing fuel or carrying out mechanical repairs.
 - h) "Truck Route" means a truck route as defined in the Lethbridge Traffic Bylaw (Bylaw No. 3499); and
 - i) "Vehicle Storage Location" means any area which is at least 150 meters away from the nearest residential, institutional, or assembly occupancy and has been accepted by the Fire Marshal, or other location accepted by the Fire Marshal.
4. Subject to this Bylaw all vehicles transporting dangerous goods are also subject to the Traffic Bylaw as amended from time to time.
5. a) No carrier shall transport Dangerous Goods through the City on a route other than a Dangerous Goods Truck Route.
- b) No carrier shall enter or leave or travel within the City other than on a Dangerous Goods Truck Route; except a carrier may for the purposes of obtaining dangerous goods from or delivering dangerous goods to a location off a Dangerous Goods Truck Route or going to or from a permitted vehicle storage location, drive his vehicle on a combination of truck routes forming the most accessible connection between the delivery point, collection point or permitted vehicle storage location, and a Dangerous Goods Truck Route.
6. a) No carrier shall transport Dangerous Goods on a highway in the City on other than a Dangerous Goods Truck Route or a Truck Route without first having obtained an Off-Route permit or permit number from the Fire Chief authorizing him to do so.

- b) On the application of a carrier the Fire Chief may issue an Off-Route Permit authorizing the transportation of Dangerous Goods on a highway in the City other than a Dangerous Good Truck Route or a Truck Route where for any reason the Dangerous Goods Truck Route or Truck Routes cannot be used by the carrier or do not reach the destination of the carrier and provided that such transportation may, in the opinion of the Fire Chief be conducted safely.
 - c) It shall be a condition of all such permits that the carrier shall keep the City fully indemnified in respect of any losses, damages or expenses which the City may suffer or from which the City may become liable as a result of such transport of Dangerous Goods on other than a Dangerous Goods Truck Route or a Truck Route.
 - d) As a condition of issuing such permit, the Fire Chief may impose any or all of the following requirements:
 - i) that a copy of the permit or, where a permit is issued by telephone, the permit number, shall be carried in the vehicle or vehicles affected at all times;
 - ii) that the applicant shall take every precaution necessary to prevent damage to property or injury to persons as a result of the transportation of such Dangerous Goods;
 - iii) permits may be granted for such periods of time not exceeding 1 year in duration as the Fire Chief may deem appropriate;
 - iv) such other conditions as the Fire Chief may deem necessary restricting the gross vehicle weight, numbers of trailers and times and dates on which such routes may be used.
 - e) It shall be an offence under this Bylaw for any person to breach any of the requirements or conditions of an Off-route Permit.
7. No carrier shall stop within the City except:
- a) In compliance with a peace officer, an inspector or a traffic control device;

- b) In compliance with a valid permit;
 - c) To load or unload as permitted by this Bylaw;
 - d) To repair or refuel the vehicle; or
 - e) At a vehicle storage location.
8. No carrier shall unload dangerous goods at a service station in any vehicle or combination of vehicles exceeding a maximum length of 19.8 meters. In no instance will a carrier loading or unloading a dangerous good allow any portion of the delivery unit to project beyond the property boundary of the recipient.
9. a) A carrier may apply for a Special Permit to transport dangerous goods in the City of Lethbridge other than in the manner set out in Sections 7 and 8.
- b) Application for a Special Permit shall be made to the Fire Chief and shall contain evidence to support that compliance with Sections 7 and 8 is impractical.
- c) The Fire Chief may issue a Special Permit granting total or partial exemption from the requirements of Sections 7 and 8 and may impose any terms and conditions considered necessary in the circumstances to safeguard the citizens of the City and their property.
- d) Any contravention of the terms and conditions contained in a Special Permit issued in pursuance to Subsection (c) shall render such Special Permit invalid.
10. The Fire Chief with the approval of the City Manager may establish a schedule of fees for the issue of such Permit or Permits as are required pursuant to the provisions of this Bylaw.
11. a) A carrier shall, when requested to do so by a peace officer or Bylaw enforcement 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 or Bylaw enforcement officer from a shipping document produced under Subsection (a) and submitted by him in evidence in Court shall be prima facie proof of the particulars therein without the proof of signature or official capacity of the person signing the shipping document.
12. Any carrier violating any of the provisions of Sections 5, 6, or 7 or any other person responsible for such violation is guilty of an offence and liable to a penalty not exceeding ONE THOUSAND (\$1,000.00) DOLLARS or, in case of non-payment of fine imposed, to imprisonment for a period of not exceeding THIRTY (30) DAYS unless such fine is sooner paid.
13. a) Where a peace officer or Bylaw enforcement officer of the City of Lethbridge believes that a person has contravened a provision of this Bylaw, he may serve upon or mail such person a violation Ticket.
- b) The Violation Ticket shall be in such form as the City of Lethbridge Police Department, determines and shall indicate thereon the date of the offence, the time of the offence, the place where the offence occurred and the Section of the Bylaw which was contravened.
- c) Upon the issuance of a Violation Ticket for a breach of Sections 5, 6 and 7 of this Bylaw, the penalty of TWO HUNDRED (\$200.00) DOLLARS shall apply.
- d) Notwithstanding the other provisions of this Section, a person to whom a Violation Ticket is served or mailed pursuant to Subsection (a), may exercise the right to defend any charge of a contravention of any of the provisions of this Bylaw indicated on the Violation Ticket.
- e) A person authorized to issue a Violation Ticket as provided in Subsection (a) is not required to issue a Violation Ticket in contravention if, in his sole discretion, it seems expedient to him to issue a Summons prosecuting the offence instead of issuing a Violation Ticket.

- 14. This Bylaw does not come into force until it is approved by the designated Minister pursuant to Section 17 of the Dangerous Goods Transportation and Handling Act.
- 15. Bylaw No. 4344 is hereby repealed.
- 16. This Bylaw shall come into effect on the 1st day of March, 2004.

READ A FIRST TIME this 9 day of February A. D. 2004

Robert D. Jones
MAYOR

Doreen
CITY CLERK

READ A SECOND TIME this 9 day of February A. D. 2004

Robert D. Jones
MAYOR

Doreen
CITY CLERK

READ A THIRD TIME this 9 day of February A. D. 2004

R. D. Jones
MAYOR

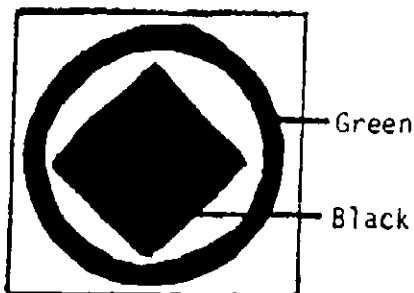
Doreen
CITY CLERK

APPROVED BY THE MINISTER RESPONSIBLE FOR ALBERTA
TRANSPORTATION, OR DELEGATED REPRESENTATIVE.

THIS _____ DAY OF _____, 2004

SIGNATURE

The Uniform Traffic Control Manual of Canada sets out design standards and specifications for both dangerous goods route signs and dangerous goods prohibition signs. Examples as follows:

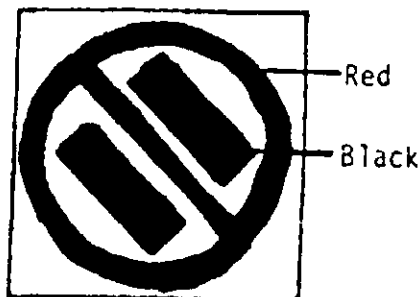


60 x 60 cm

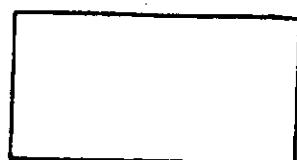
Sign may be supplemented with proper advance and directional arrows to indicate a turn or a change in the direction of a route.



60 x 30 cm



60 x 60 cm



Educational
or
Information
Sign

60 x 30 cm

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

SCHEDULE "B"

DANGEROUS GOODS TRUCK ROUTES

| <u>THOROUGHFARE</u> | <u>FROM</u> | <u>TO</u> |
|---------------------------------|-------------------|-------------------------|
| Highway 5 | South City limits | Junction with Highway 4 |
| Highway 4 | East City limits | Junction with Highway 5 |
| 43 rd Street | Highway 4 | North City limits |
| Highway 3 (Crownsnest Trail) | East City limits | West City limits |
| Bridge Drive (Highway 3A) | Highway 3 | University Drive |
| Highway 25 | North City limits | University Drive |
| University Drive | From Highway 3A | Macleod Drive |

THE CITY OF LETHBRIDGE
DANGEROUS GOODS TRANSPORTATION AND HANDLING BYLAW
BYLAW NO. 5254

OFFICE OF: Fire Chief
2815 – 5th Avenue North
LETHBRIDGE, Alberta
T1h op2
Telephone: (403) 329-1225

OFF ROUTE PERMIT NO.

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 (is issued by telephone) or copy of this permit must be carried in the vehicle or vehicles affected.
2. The applicant shall keep the City of Lethbridge 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 (NAME) OF APPLICATNT

CHIEF DESIGNATE
