

**BYLAW NUMBER 13M2004**

**BEING A BYLAW OF THE CITY OF CALGARY  
RESPECTING THE TRANSPORTATION OF  
DANGEROUS GOODS**

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(Amended by Bylaw Number 23M2005)

**WHEREAS** the City is empowered by the Dangerous Goods Transportation and Handling Act, R.S.A. 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.

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

1. This Bylaw may be cited as the "Transportation of Dangerous Goods Bylaw".
2. Definitions contained in the Dangerous Goods Transportation and Handling Control Act and regulations thereunder, as applicable, are adopted for the purposes of the interpretation and the application of this Bylaw.
3. In this Bylaw:
  - (a) "*carrier*" means any person transporting dangerous goods in, into, through or out of the City by any vehicle;
  - (b) "*Central Business District*" means that portion of the City contained within the boundaries described in Schedule "A" attached to and forming part of this Bylaw;
  - (c) "*dangerous goods*" means dangerous goods for which placards are required by the Dangerous Goods Transportation and Handling Act and any regulations thereunder;
  - (d) "*Dangerous Goods Route Signs*" means those signs identified in Schedule "B" attached to and forming part of this Bylaw;
  - (e) "*Dangerous Goods Truck Route*" means any highway so designated in Schedule "C" attached to and forming part of this Bylaw which may be posted with Dangerous Goods Route Signs;
  - (f) "*service station or repair depot*" means any premises licensed for the purposes of dispensing fuel or carrying out mechanical repairs;

- (g) "*truck route*" means a truck route as defined in the Bylaw respecting Truck Routes (Bylaw 60M90) or any bylaw substituted therefor; and
- (h) "*vehicle storage location*" means any area which is at least one hundred and fifty (150) metres away from the nearest residential, institutional or assembly occupancy and has been accepted by the Fire Department, or other location accepted by the Fire Department.

(B/L 23M2005, 2005 April 11)

- 4. Subject to anything to the contrary in this Bylaw, all trucks transporting dangerous goods are also subject to the Truck Routes Bylaw as amended from time to time.
- 5. Subject to Section 7, no carrier shall transport dangerous goods other than on a Dangerous Goods Truck Route except:
  - (a) to obtain or deliver dangerous goods from or to a location off a Dangerous Goods Truck Route or to gain access to a vehicle storage location, in which event he shall:
    - (i) proceed on a Dangerous Goods Truck Route to the truck route which forms the most direct route to the collection or delivery point or the vehicle storage location;
    - (ii) proceed on the truck route specified in (i) directly to the collection or delivery point, the vehicle storage location or to the street which forms the most direct route thereto;
    - (iii) if applicable, proceed on the street specified in (ii) directly to the collection or delivery point or the vehicle storage location; and
    - (iv) return to the Dangerous Goods Truck Route on the same street and truck route; or
  - (b) to obtain emergency repairs or service at the nearest service station or repair depot located on a truck route.
- 5.A This Bylaw does not apply to a vehicle transporting dangerous goods consisting solely of medical oxygen.
- 5.B This Bylaw does not apply to a vehicle transporting dangerous goods, provided:
  - (a) The vehicle is within the Unrestricted Truck Zone as defined in Bylaw 60M90, a bylaw of the City of Calgary Respecting Truck Routes, or any bylaws passed in substitution therefor, and;
  - (b) none of the dangerous goods being transported:
    - (i) require a placard under existing Provincial or Federal legislation; or

- (ii) fall with “Class 6 – Poisonous (toxic) and infectious substances” or “Class 7 – Nuclear substances and prescribed substances within the meaning of the Nuclear Safety and Control Act (Canada)” as prescribed by Alberta Regulation 157/97, Dangerous Goods Transportation and Handling Regulation (or any amended or substituted regulation).

(B/L 23M2005, 2005 April 11)

6. No carrier shall stop within the City except:

- (a) in compliance with a peace officer, an inspector or a traffic control device;
- (b) to load or unload;
- (c) repair or refuel the vehicle; or
- (d) at a vehicle storage location.

7. (1) Notwithstanding Section 5(a) and (b), no carrier shall transport dangerous goods in the Central Business District except to obtain or deliver dangerous goods from or to a location in the Central Business District.
- (2) No carrier shall transport dangerous goods in the Central Business District between the hours of 0600 and 1800, Monday to Saturday, both inclusively.
- (2.1) Notwithstanding Subsection (2), a carrier may enter the Central Business District between the hours of 9:30 a.m. to 11:30 a.m. and 1:30 p.m. to 3:30 p.m. on Monday through Saturday, inclusive, for the purpose of obtaining or delivering dangerous goods from or to a location within the Central Business District provided that no dangerous goods are being transported which require a placard under existing Provincial or Federal legislation.
- (3) No carrier shall transport dangerous goods in the Central Business District in any combination of vehicles that includes a trailer except a single trailer attached to a truck tractor.
- (4) Notwithstanding its designation as a Dangerous Goods Truck Route and notwithstanding Section 5, no carrier shall transport any dangerous goods which fall within "Class 6 - Poisonous (toxic) and infectious substances" as prescribed by Alberta Regulation 157/97, Dangerous Goods Transportation and Handling Regulation (or any amended or substituted regulation) on that portion of Glenmore Trail located between Macleod Trail and 37th Street S.W.

(B/L 23M2005, 2005 April 11)

8. (1) A carrier may apply for a Special Permit to transport dangerous goods in the Central Business District other than in the manner set out in Section 7.

- (2) Application for a Special Permit shall be made to the Fire Department and shall contain evidence to support that compliance with Section 7 is impracticable.
  - (3) The Fire Department may issue a Special Permit granting total or partial exemption from the requirements of Section 7 and may impose any terms and conditions considered necessary in the circumstances to safeguard the citizens of the City and their property.
  - (4) Any contravention of the terms and conditions contained in a Special Permit issued in pursuant of Subsection (3) shall render such Special Permit invalid.

(B/L 23M2005, 2005 April 11)
9. (1) 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.
- (2) 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 thereon without proof of signature or official capacity of the person signing the shipping document.
10. Any carrier violating any of the provisions of Section 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 Dollars (\$1,000.00) exclusive of costs, or, in the case of non payment of fine and costs imposed, to imprisonment for a period not exceeding Thirty (30) days unless such fine and costs are sooner paid.
11. (1) Where a peace officer or a Bylaw Enforcement Officer of the City of Calgary believes that a person has contravened a provision of this Bylaw, he may serve upon or mail such person a Tag.
- (2) The Tag shall be in such forms as the Calgary Police Service 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.
- (3) Upon the issuance of a tag for a breach of Section 5, 6 or 7 of this Bylaw, the penalty of Four Hundred Dollars (\$400.00) shall apply.
- (4) Notwithstanding the other provisions of this Section, a person to whom a Tag is served or mailed pursuant to Subsection (1), may exercise the right to defend any charge of a contravention of any of the provisions of this Bylaw indicated on the Tag.
- (5) A person authorized to issue a Tag as provided in Subsection (1) is not required to issue a Tag in respect of a contravention if, in his sole

discretion, it seems expedient to him to issue a Summons prosecuting the offence instead of issuing a Tag.

11. Bylaw 67M87 is hereby repealed.
12. This Bylaw does not come into force until it is approved by the designated Minister pursuant to Section 17(2) of *Dangerous Goods Transportation and Handling Act*.

READ A FIRST TIME THIS 23<sup>rd</sup> DAY OF FEBRUARY, 2004.

READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF FEBRUARY, 2004.

READ A THIRD TIME THIS 23<sup>rd</sup> DAY OF FEBRUARY, 2004.

(Sgd.) D Bronconnier  
MAYOR

(Sgd.) D. Garner  
CITY CLERK

APPROVED BY THE MINISTER RESPONSIBLE FOR ALBERTA INFRASTRUCTURE AND TRANSPORTATION, OR DELEGATED REPRESENTATIVE THIS 12<sup>th</sup> DAY OF DECEMBER, 2005.

**SCHEDULE "A" BYLAW NUMBER 13M2004**

**CENTRAL BUSINESS DISTRICT**

COMMENCING at the north east corner of the intersection of 17th Avenue South and 14th Street West;

THENCE easterly along the northerly boundary of 17th Avenue South and an easterly extension thereof to the banks of the Elbow River;

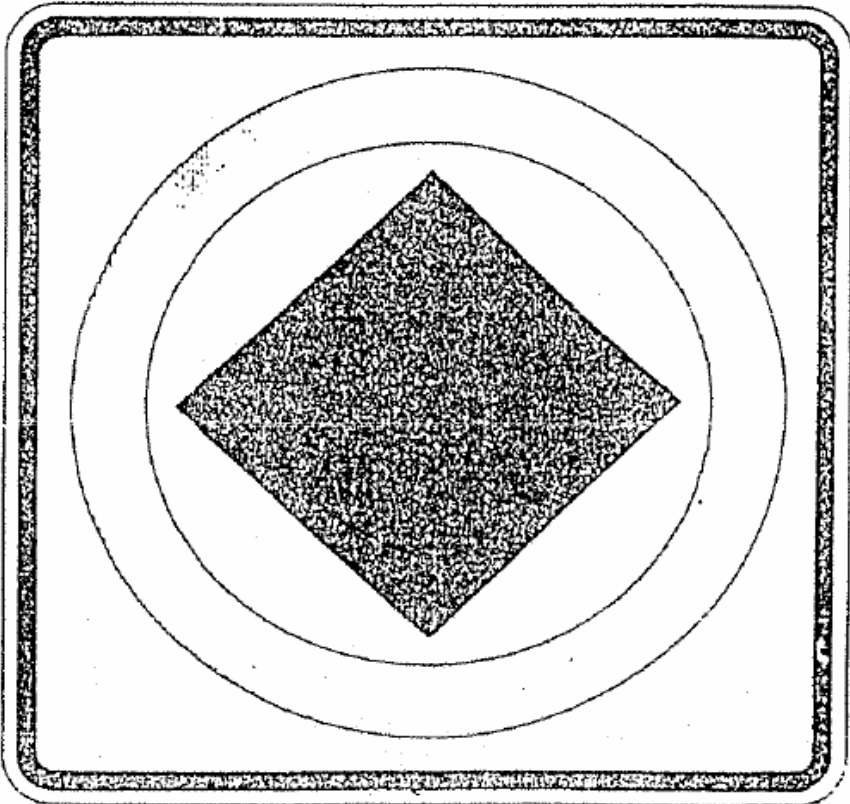
THENCE northerly along the westerly bank of the Elbow River to the Bow River;

THENCE westerly along the southerly bank of the Bow River to the extension northerly of the easterly boundary of 14th Street West;

THENCE southerly along the easterly boundary of 14th Street West, to the point of commencement.

**SCHEDULE "B" BYLAW NUMBER 13M2004**

**DANGEROUS GOODS ROUTE SIGN**

DANGEROUS GOODS ROUTE SIGN		RB-69		
				
DIMENSIONS (cm)	60X60	COLOUR		
SECTION REFERENCE	A2.02.01	BACKGROUND	BORDER	MESSAGE / SYMBOL
ENLARGEMENT FACTOR	4	WHITE	BLACK	BLACK/GREEN

**SCHEDULE "C" - BYLAW NUMBER 13M2004****DANGEROUS GOODS TRUCK ROUTE**

<b><u>THOROUGHFARE</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
1. Trans Canada Highway (Being 16th Avenue North)	Eastern City Limits	Western City Limits
2. Deerfoot Trail	Northern City Limits	Southern City Limits
3. Glenmore Trail	Eastern City Limits	Sarcee Trail
4. Macleod Trail	Glenmore Trail	Southern City Limits
5. Sarcee Trail	Trans Canada Highway	Glenmore trail
6. Barlow Trail	Peigan Trail	Deerfoot Trail
7. 50th Avenue S.E.	Barlow Trail	52nd Street S.E.
8. 52nd Street S.E.	Glenmore Trail S.E.	17th Avenue S.E.
9. 17th Avenue S.E.	52nd Street S.E.	Eastern City Limits
10. Peigan Trail S.E.	Deerfoot Trail S.E.	Barlow Trail S.E.
11. Blackfoot Trail S.E.	17th Avenue S.E.	Glenmore Trail S.E.
12. 17th Avenue S.E.	Blackfoot Trail S.E.	Deerfoot Trail S.E.
13. Ogdendale Road S.E.	61st Avenue S.E.	69th Avenue S.E.
14. 61st Avenue S.E.	Ogdendale Road S.E.	Barlow Trail S.E.
15. Ogden Road S.E.	Blackfoot Trail S.E.	50 Avenue S.E.
16. 50 Avenue S.E.	Ogden Road S.E.	Barlow Trail S.E.
17. Barlow Trail N.E.	16 Avenue N.E.	112 Avenue N.E.
18. 112 Avenue N.E.	Barlow Trail N.E.	Deerfoot Trail N.E.

<b><u>THOROUGHFARE</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
19. Marquis of Lorne Trail S.E	Deerfoot Trail S.E.	MacLeod Trail S.E.