

Traffic Bylaw

TOWN OF WILLOWBUNCH

BYLAW NO. 4/2014

A BYLAW TO REGULATE THE OPERATION & PARKING OF VEHICLES AND THE USE OF THE HIGHWAYS

The Council of the Town of Willow Bunch in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be referred to as the Traffic Bylaw.
2. **DEFINITIONS**
For the purpose of this bylaw, the following terms and words shall have the following meanings:
 - (a) **“angle parking”** means the parking of vehicles with the right front wheel drawn up on the right-hand side of the highway, or at a distance of not more than thirty(30) centimeters from such curb, the vehicles to be placed at an angle of forty-five (45) degrees with the curb;
 - (b) **“administrator”** means the administrator of the municipality;
 - (c) **“all terrain vehicle”** and/or **“ATV”** means all terrain vehicle as defined in *The All Terrain Vehicles Act*;
 - (d) **“council”** means the council of the Town of Willow Bunch;
 - (e) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
 - (f) **“highway”** means a road, parkway, driveway, square, or place designated and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the municipality as designated pursuant to the provisions of *The Highways and Transportation Act, 1997*;
 - (g) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
 - (h) **“lug vehicles”** means any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
 - (i) **“municipality”** means the Town of Willow Bunch;
 - (j) **“one-way highway”** means highway ascribed to it by *The Traffic Safety Act*;

- (k) **“parallel parking”** means the parking of a vehicle with both right wheels thereof drawn up to the curb on the right-hand side of the highway of the highway, or a distance of not more than thirty (30) centimeters from such curb;
- (l) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- (m) **“place of public assembly”** means schools, theatres, churches, rinks, and halls;
- (n) **“power turn”** means to maneuver a vehicle in such a manner to cause part of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking;
- (o) **“designated officer”** means the Administrator, Royal Canadian Mounted Police, Sheriff or any other person appointed to enforce municipal bylaws;
- (p) **“speed bump”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- (q) **“speed zone”** means any portion of a highway within the Town of Willow Bunch, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (r) **“u-turn”** means the turning of a vehicle so as to cause it to proceed in the opposite direction from which it was proceeding immediately prior to the commencement of such turn;
- (s) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*.

3. **SCOPE**

- (a) **“Stop” Streets:** highways listed in Appendix 1;
- (b) **“Yield” Streets:** highways listed in Appendix 2;

4. **INFRACTIONS**

- (a) **“Stop” Streets:** the provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “stop” sign erected and maintained in accordance with the provisions of subsection 5(a).
- (b) **“Yield” Streets:** the provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “yield” sign erected and maintained in accordance with the provisions of subsection 5(b).
- (c) **Miscellaneous Signs:**
 - i. No person shall, except where authorized by resolution of Council, or when duly authorized by law, erect upon or immediately adjacent to any highway, any sign, marker, signal or light or any advertising sign or device.
 - ii. No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this bylaw.
- (d) **Lug Vehicles:**
 - i. No person shall propel, operate or drive any lug vehicle

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upon any highway within the municipality without first obtaining from the administrator, a permit in writing authorizing same.

- ii. The administrator is hereby authorized to issue permits in writing for the purpose of clause 4(e)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 3 . Provided that the administrator shall not issue any such permit unless he/she is satisfied that with reasonable care in operation, the lug vehicle may be propelled or driven over any highway without damage resulting thereto or to any bridge or culvert thereon.
- iii. Nothing contained in clause 4(e)(i) shall be deemed to preclude the transport of a lug vehicle as herein defined over any highway where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

(e) Parking:

- i. Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- ii. (a) Subject to the provisions of sub clause 4(f)(ii)(b), no person shall park a vehicle in any lane, or in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises;
(b) Notwithstanding the provisions of sub clause 4(f)(ii)(a), a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the administrator or a special constable of the municipality for an extension of such time.
- iii. (a) Subject to sub clause 4(f)(iii)(b), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park the same.
(b) Every person parking a vehicle upon a highway listed in Appendix 4 shall angle park same.
- iv. No person shall park a vehicle in any "No Parking" area as designated in Appendix 5 at any time whether such areas are marked on the curb or otherwise by signs erected and maintained in accordance with the provisions of subsection 5(d) to indicate that parking therein is prohibited.
- v. No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.



- vi. No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.
- vii. No person shall park any vehicle in any private place or on any private property unless he is the owner, occupant, licensee or permittee of the parking place or private property, except with the consent of such owner, occupant, licensee or permittee.
- viii. (a) Subject to sub clause 4(f)(viii)(b), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or other flammable, combustible or explosive material, within 30 metres from the building in the municipality used or intended for use, in whole or in part, as a place of dwelling, a hotel or place of public assesmbly.
(b) Nothing in sub clause 4(f)(viii)(a) shall be deemed to restrict the parking of any such vehicle for such period of time as may be necessary to take on or discharge cargo.
- ix. No person shall stop, stand or park any vehicle where the curb has been painted yellow.
- x. No person shall park a vehicle in any "Taxi" or "Handicapped" parking area as designated in Appendix 6.
- xi. No person shall leave a trailer parked on a street if it is unattached from the vehicle used for moving the same.
- xii. No person shall stand or park or leave any vehicle more than eight (8) hours on any street if the vehicle has been placed on a jack or jacks and one or more wheels have been removed from it or part of the vehicle has been raised.

(f) Heavy Vehicles

- i. (a) No person shall drive a heavy vehicle having a gross weight of 10,000 kgs or an overall length in excess of eighteen (18) meters on any street or portion of a street except on 1st Street, and the portion of Ave J from 3rd Street to 1st Street so designated as the heavy vehicle route.
(b) Nothing in clause 4(g)(i)(a) shall be deemed to restrict the operation of any such vehicle for such period of time as may be necessary to take on or discharge cargo, and shall not apply to vehicles proceeding to or from a garage for the purpose of repairs or servicing.
- ii. (a) No vehicles having a gross weight of 10,000 kgs or an overall length in excess of eighteen (18) meters shall be

parked anywhere in the Town of Willow Bunch.

(b) Nothing in clause 4(g)(ii)(a) shall be deemed to restrict the parking of any such vehicle for such period of time as may be necessary to take on or discharge cargo.

(g) **Power Turns:** The operator of a vehicle shall not execute “power turns” on any highway in the Municipality.

(h) **Snowmobiles:**

Under the provisions *The Snowmobile Act* and subject to clause 4(i)(ii),:

- i. it shall be lawful to operate a snowmobile between the hours of 6:00 a.m. and 11:00 p.m. on any highway except Edouard Beupre St. within the limits of the municipality.
- ii. Notwithstanding clause 4(i)(i) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Edouard Beupre St for the purpose of crossing said street.
- iii. Notwithstanding clause 4(i)(ii) all Provincial highway crossing must be assessed by traffic operations staff from the Department of Highways and Transportation to ensure that any crossing safety issues are addressed. All snowmobile trails that run inside the right-of-way of a provincial highway must be permitted in writing by the Department of Highways and Transportation. All snowmobile trail permit applications must be sent to the Saskatchewan Snowmobile Association, who will forward any applications that they deem as requiring a permit to the Department of Highways and Transportation.
- iv. it shall be lawful to operate snowmobiles in the municipality at hours other than those specified in (i) for the purpose of leaving the municipality by the most direct route or returning to a residence by the most direct route.
- v. all snowmobile operators shall yield the right-of-way to vehicles on Highway No. 36 and Edouard Beupre St. before crossing the highway.
- vi. any snowmobile crossing a public highway must come to a full stop prior to crossing and must take the most direct route across the highway.
- vii. any snowmobile entering onto a public highway shall do so from an established public highway approach.

(i) **Speed:**

- i. Subject to clause 4(j)(ii) no person shall operate a vehicle in the municipality at a speed greater than 40 km/hr. ¹
- ii. The provisions of clause 4(j)(i) shall not apply to any

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route of a provincial highway on which a speed zone has been established by the Province of Saskatchewan.

(j) **Bicycles:**

- i. No person shall operate a bicycle without having at least one hand on the handle bar.
- ii. No person shall ride a bicycle larger than what is classified as a sidewalk bicycle on the sidewalks or boulevards of the municipality.

(k) **All Terrain Vehicles:**

- i. The operation of all terrain vehicles within the municipality must be in accordance with Bylaw 224/10.

(l) **Tractors/Farm Implements:**

- i. No persons shall drive or park any farm implements or tractors on any street or avenue within the Town of Willow Bunch.
- ii. Nothing in clause 4(m)(i) shall be deemed to restrict the operation or parking of any such vehicle to or from a garage for the purpose of repairs or servicing.

5. **SIGNS**

- (a) Council shall cause to be erected and maintained at all stop streets in Appendix 1, at a distance of approximately three (3) metres from point of intersection, an appropriate sign containing the word "Stop", so placed to face the traffic approaching the intersection.
- (b) Council shall cause to be erected and maintained at all yield streets listed in Appendix 2, at a distance of approximately three (3) metres from point of intersection, an appropriate "Yield" sign, so placed to face the traffic approaching the intersection.
- (c) Council shall cause to be erected and maintained at all "No Parking" areas as listed in Appendix 5, appropriate signs and/or curb markings. Such signs or curb markings shall be visible from that part of the highway to which the restriction applies.
- (d) Council may, by resolution, provide for the erection and maintenance on any municipal highway, and at any designated point or points thereon, of such signs as it may deem expedient for warning, guidance, directions, or information thereon.

6. **PENALTIES**

(a) **Signs:**

Any person who contravenes any of the provisions of clauses 4(c)(i) and 4(c)(ii) of this bylaw is guilty of an offence and liable on summary



conviction to the penalties provided in the General Penalty Bylaw of the municipality.

(b) Lug Vehicles and Power Turns:

Any person who contravenes any of the provisions of subsections 4(e)(i) and 4(g) of this bylaw shall be liable on summary conviction to a penalty of:

- i. clause 4(e)(i) - \$100.00
- ii. subsection 4(h) - \$ 50.00

(c) Parking:

A person who contravenes any of the provisions of subsections (here list all the sections) of this bylaw or fails to comply therewith or with any of this bylaw or fails to comply therewith or with any notice or order given there-under shall be guilty of an offence and upon summary conviction, shall be liable to penalties as follows:

- i. Clause 4(f)(ii)(iii) \$50.00
- ii. Clause 4(f)(iv) \$50.00
- iii. Clause 4(f)(v) \$50.00
- iv. Clause 4(f)(vi) \$50.00
- v. Clause 4(f)(vii) \$50.00
- vi. Clause 4(f)(viii) \$50.00
- vii. Clause 4(f)(x) \$50.00
- viii. Clause 4(g)(i) (ii) \$50.00
- ix. Clause 4(m)(i) \$50.00

(d) Notice of Violation:

- i. A violator of any of the subsections of this bylaw, as set out in subsection 6(c) upon being served with a Notice of Violation, may during the regular office hours, voluntarily pay the penalty at the municipal office within 15 days and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- ii. The Notice of Violation shall be in Form "2", Appendix 7, attached to and forming part of this bylaw

(e) Bicycle Contravention

The penalty for the contravention of section 4(k)(i), 4(k)(ii) and is as follows:

- (i) impounding the bicycle for 30 days

(f) Speed, Failing to Stop, Failing to Yield etc.

The penalties for these and other traffic violations other than parking under *The Traffic Safety Act*, *The Snowmobile Act* and *The School Bus Operating Regulations* shall be liable to the penalties imposed by *The Summary Offences Procedure Act* and/or any other applicable legislation.

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7. **IMPOUNDING**

(a) In addition to and notwithstanding any provisions contained within Section 6 hereof, any person appointed as a designated officer pursuant to this bylaw:

- i. may remove or cause to be removed any vehicle that:
 1. is unlawfully placed, left or kept on any street, public parking place, or other public place;
 2. is unlawfully parked pursuant to clause 4(f)(vii) when requested by the owner, occupant, licensee or permit holder of said land; or
 3. is found on a street, street, public parking place, other public place or municipally-owned property when:
 - a. *the owner of the vehicle owes three or more outstanding fines to the municipality for parking offences;*
 - b. *at least two notices that the fines are outstanding were sent to the owner at least one week apart; and*
 - c. *a justice, having been satisfied by evidence provided by way of oath, affidavit or statutory declaration of the existence of the facts mentioned above in clauses 7(a)(i)(3)(a) to (c), has issued an order authorizing the removal and impoundment*
 - ii. and seize, impound or store such vehicle.
- b. The municipality may retain a vehicle which has been impounded or stored after it has been removed under subsection 7(a) until the amount of outstanding fines, if any, and the costs incurred in removing and impounding or storing the vehicle have been paid, and upon payment of said outstanding fines and costs the vehicle shall be released to the owner.
 - c. If the fines and costs described in subsection 7(b) have not been paid within a period of 30 days, the municipality shall have the right to recover same from the owner of the vehicle by :
 - i. legal action in a court of competent jurisdiction;
 - ii. sale through public auction; or
 - iii. by private sale of the vehicle.
 - d. Prior to the sale of a vehicle which has been impounded or stored under this section, the municipality shall provide notice designating the time and place of the sale at least 14 days prior to the sale by:
 - i. publishing a notice in a newspaper circulating in the municipality;
 - ii. sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - iii. by any other means which council may consider appropriate.
 - e. The proceeds from such sale shall be applied firstly on the fines and costs described in subsection 7(b) and the balance remaining, if any, shall be paid to the owner.
 - f. If the proceeds from such sale are insufficient to satisfy the fines and costs described in subsection 7(b), the amount of the shortfall shall be a debt

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due and owing from the owner and enforceable by the municipality in any manner allowed by law.

8. **REPEAL**

Bylaw No's 183/98, 157, 78, 70 of the Town of Willow Bunch are hereby repealed.

9. **COMING INTO FORCE**

This bylaw shall come into force and effect on the day it is approved by the Highway Traffic Board. ²





Mayor/Reeve



Administrator
(Section 8 *The Municipalities Act*)

Contact Person for Highway Traffic Board: Marian Ross, Traffic Board Secretariat
1550 Saskatchewan Drive, Regina, Saskatchewan S4P 0E4
Tel: (306) 775-6672
Fax: (306) 775-6618

NOTE: The Summary Offences Procedures Act, 1990 section 30 provides penalties for infractions under *The Traffic Safety Act*, *The Snowmobile Act*, *The School Bus Operating Regulations*, *The All Terrain Vehicle Act* (basically any traffic offences, other than parking offences):

- speed
- failing to stop
- failing to yield



Certified a true and correct copy of Bylaw No. 4-2014
adopted by the Council of the Town
of Willow Bunch on the 8th day of October, 2014.



Administrator/Reeve/Mayor

APPENDIX 1
of Bylaw No. 4/2014

"STOP" STREETS [section 3(a)]

Street or Avenue		Where intersected by street or avenue
1 st Street	@	Ave B
2 nd Street	@	Ave B
3 rd Street	@	Ave B
3 rd Street SE	@	Ave H
4 th Street	@	Ave F and Ave J
Edouard Beupre St	@	Ave B
6 th Street	@	Ave H
Ave A	@	Edouard Beupre Street
Ave D	@	Edouard Beupre Street and 3 rd Street
Ave E	@	3 rd Street
Ave F	@	3 rd Street
Ave G	@	3 rd Street and 2 nd Street
Ave H	@	3 rd Street and Edouard Beupre St.
Ave I	@	Ave H

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APPENDIX 2
of Bylaw No. 4/2014

"YIELD" STREETS [section 3(b)]

Street or Avenue		Where intersected by street or avenue
2 nd Street	@	Ave F
3 rd Street SE	@	3 rd Street
6 th Street	@	Ave D
Ave D	@	2 nd Street
Ave E	@	2 nd Street
Ave G	@	3 rd Street

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APPENDIX 3
of Bylaw No. 4/2014

PERMIT FOR OPERATION OF LUG VEHICLE [section 4(e)(ii)]

NAME:

ADDRESS:

TYPE OF VEHICLE:

ROUTE:

DEPOSIT:

I declare that:

(1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.

(2) I will, when operating such lug vehicle over any bridge or culvert on any highway or on any specified bridge or culvert thereon, first lay down on such bridge or culvert planks or timbers of not less than 5 cm in thickness and should extend a minimum of 300 mm wider on each side than the maximum outside width of the lugs; such planks or timbers to be laid lengthwise across the bridge or culvert in the direction in which the lug vehicle is proceeding in such a manner that they will support the wheels or tread of the lug vehicle on both sides thereof throughout its entire passage over such bridge or culvert.

(3) I will pay for all damages caused to such highway or to any bridge or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.

(4) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.

Owner/Operator



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APPENDIX 4
of Bylaw No. 4/2014

"ANGLE PARKING AREAS" [section 4(f)(iii)(b)]

Street or Avenue	From	To
Edouard Beaupre St (South Side)	Ave F South	Ave H

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APPENDIX 5
of Bylaw No. 4/2014

"NO PARKING" AREAS - [section 4(f)(iv)]

Street or Avenue	From	To
Ave B	Edouard Beaupre St	3 rd Street

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APPENDIX 6
of Bylaw No. 4/2014

"TAXI" and "HANDICAPPED" AREAS – [section 4(f)(x)]

Street or Avenue	From	To
Handicapped - Edouard Beaupre St.	Ave F	2 parking stalls East
Ave F	Edouard Beaupre St	2 parking stalls North
Taxi- Corner	of	Ave F and
		Edouard Beaupre St.



Form 2

APPENDIX 7
of Bylaw No. 4/2014

NOTICE OF VIOLATION [section 6(d)(ii)]

_____ of _____

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

On the ___ day of _____, 20 __, at/near _____, Saskatchewan at ___ a.m/p.m

Did unlawfully commit the following offence:
("X" indicates offence charged)

- Parking Bylaw No. _____
- Dog Bylaw No. _____
- Other Bylaw No. _____

DESCRIPTION OF OFFENCE:

LOCATION OF OFFENCE:

You are charged with violation of Bylaw No. _____ Section(s)

Penalty for the above violation:

- may be paid voluntarily
- may not be paid voluntarily

Special Constable

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is \$100.00 or less, you may make voluntary payment of the above penalty at the municipal office of the Town of Willow Bunch during regular office hours or by mail within 15 days from the date of service of this Notice of Violation.

If you do not make a voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction, you shall be liable to the penalty provided under section 7 of the said bylaw.

¹ Rural municipality would need approval of the HTB if they were to set a speed greater than the maximum of 80 km/hr.

² A specific future date may be determined by Council, keeping in mind that the bylaw is subject to *The Traffic Safety Act*, formerly *The Highway Traffic Act*. Section 262 of *The Traffic Safety Act* provides that a bylaw is a municipal bylaw that has been approved by the HTB.

- Certain provisions (e.g. prohibiting the use of school bus “stop” lights) require the approval of the board. Provisions of bylaws which are inconsistent with provincial legislation may not be enforceable.