

Traffic Bylaw

Northern Village of Green Lake

BYLAW NO. 01/2010

The Council of the Northern Village of Green Lake in the Province of Saskatchewan, under the provision of subsection 115.1(1) of *The Northern Municipalities Act*, 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) **“administrator”** means the administrator of the municipality;
- (b) **“bridge”** means that portion of highway 55 located over the Green River;
- (c) **“council”** means the council of the Northern Village of Green Lake;
- (d) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (e) **“highway”** means a road, parkway, driveway, lane, alley, 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*;
- (f) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
- (g) **“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;
- (h) **“municipality”** means the Northern Village of Green Lake;
- (i) **“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, or a distance of not more than thirty (30) centimeters from such curb;
- (j) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- (k) **“place of public assembly”** means schools, theatres, churches, rinks, halls, and commercial enterprises;
- (l) **“Pedestrian”** means any person walking on a portion of highway;
- (m) **“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;
- (n) **“designated officer”** means the Administrator, Royal Canadian Mounted Police, Sheriff or any other person appointed to enforce municipal bylaws;
- (o) **“speed zone”** means any portion of a highway within the Northern Village of Green Lake, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (p) **“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;
- (q) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*.

3. **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 4(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 4(b). In uncontrolled or unmarked intersections, if two vehicles arrive at an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the driver of the vehicle on the right as outlined in *The Traffic Safety Act*.
- (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) **School Bus Flashing Lights:**
- i. The operator of a school bus when operating a school bus on public highways in the municipality shall activate the safety lights.
- (e) **Lug Vehicles:**
- i. No person shall propel, operate or drive any lug vehicle 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 3(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 3(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.
- (f) **Parking:**
- i. (a) Except as otherwise provided herein, the parking of vehicles is not permitted on all highways within the municipality unless permitted by council resolution and properly signed to indicate parking permitted.
(b) Notwithstanding the provisions of sub clause 3(f)(i)(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.
 - ii.(a) Subject to sub clause 3(f)(i)(b), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park the same.
 - iii.No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.
 - iv.No person shall park a vehicle in a permitted area, on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.
 - v.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.

vi.(a) Subject to sub clause 4(f)(vi)(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 assembly.

(b) Nothing in sub clause 3(f)(vi)(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 3(h)(ii),:

- i. It shall be lawful to operate a licensed snowmobile between the hours of 7:00 a.m. and 11:00 p.m. on any highway except Provincial Highway Number 55, the Old Highway (CS55-14-41LUA), Green Lake Tower Road and Highway 155 within the limits of the municipality provided the driver holds a valid class 5 license.
- ii. Notwithstanding clause 3(h)(i) of this bylaw, it shall be lawful to operate a licensed snowmobile on a portion of Highway Number 55 for the purpose of crossing the Provincial Highway at Main Street and Riverside Drive.
- iii. It shall be lawful to operate licensed 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.
- iv. All snowmobile operators shall yield the right-of-way to vehicles on Highway No. 55 and Highway No. 155 before crossing the highway.
- v. 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.
- vi. Any snowmobile entering onto a public highway shall do so from an established public highway approach.

(i) Speed:

- i. Subject to clause 4(i)(ii) no person shall operate a vehicle in the municipality at a speed greater than forty (40) km per hour
- ii. No person shall operate a vehicle at a speed greater than thirty (30) km per hour in the school zones as set out in Appendix 4 between 8:00 a.m. and 4:30 p.m. on school days.
- iii. No person shall operate a vehicle on the streets listed in appendix 4 at speeds greater than twenty (20) km per hour.
- iv. The speed shall be posted in decreasing amounts from 100km per hour, 1km outside of the municipality to 60km per hour entering the municipality to 40km per hour within the municipality.

(j) U-Turns:

- i. No person shall cause a vehicle to make a U-Turn between intersections, and at the intersection of a highway with a lane or an alley in the municipality.

(k) Bicycles:

- i.No person shall operate a bicycle without having at least one hand on the handle bar.
- ii.No person shall operate a bicycle on a sidewalk except when crossing the bridge where the operator is expected to use the pedestrian walkway yielding to all oncoming pedestrian traffic.

(l) Pedestrians:

- i. No pedestrians are allowed on the driving surface of the bridge. All pedestrians are restricted to the walkway on the side of the bridge located over the Green River on Highway 55.
- ii.Pedestrians loitering on the driving surface of the bridge shall be considered obstructing traffic and are liable for conviction under the Highway Traffic Act, 1997.

(m) Loading Zones:

- i. No operator of a vehicle shall remain in a loading zone for a period exceeding ten (10) minutes for the purpose of embarking or disembarking passengers, provided that on the expiration of the ten minute period the onus of proving the loading and unloading of goods shall rest with the driver of any vehicle found in such a loading zone.
- ii. No operator of a vehicle shall remain in a loading zone for periods exceeding ten (10) minutes for the purpose of loading or unloading goods.

4. **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.

5. **PENALTIES**

(a) Signs:

Any person who contravenes any of the provisions of clauses 3(c)(i) and 3(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 3(e)(i) and 3(g) of this bylaw shall be liable on summary conviction to a penalty of:

- i. clause 3(e)(i) \$500.00
- ii. subsection 3(g) \$100.00

(c) Parking, Loading Zones, Pedestrians:

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 3(f)(i) \$25.00
- ii. Clause 3(f)(ii) \$25.00

| | | |
|-------|------------------|---------|
| iii. | Clause 3(f)(iii) | \$25.00 |
| iv. | Clause 3(f)(iv) | \$25.00 |
| v. | Clause 3(f)(v) | \$40.00 |
| vi. | Clause 3(f)(vi) | \$25.00 |
| vii. | Clause 3(f)(vii) | \$25.00 |
| viii. | Clause 3(j)(i) | \$50.00 |
| ix. | Clause 3(l)(i) | \$50.00 |
| x. | Clause 3(l)(ii) | \$50.00 |
| xi. | Clause 3(m)(i) | \$25.00 |
| xii. | Clause 3(k)(ii) | \$25.00 |

(d) Notice of Violation:

- i. A violator of any of the subsections of this bylaw, as set out in subsection 5(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 business 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 5, attached to and forming part of this bylaw

(e) Bicycle Contravention

The penalty for the contravention of section 3(k)(i), 3(k)(ii) is as follows:

- (i) for the first infraction impounding the bicycle for 10 business days; and
- (ii) for the second or additional infractions, impounding the bicycle for fifteen business days..

(f) Speed, One Way Highway, 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.

6. IMPOUNDING

- a. In addition to and notwithstanding any provisions contained within Section 5 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 3(f)(v) when requested by the owner, occupant, licensee or permit holder of said land; or
 - 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 6(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 6(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 6(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 6(b), the amount of the shortfall shall be a debt due and owing from the owner and enforceable by the municipality in any manner allowed by law.

7. **COMING INTO FORCE**

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

Read a first time this 22nd day of February, 2010
Read a second time this 22nd day of February, 2010
Read a third and final time this 22nd day of February, 2010

SEAL

Mayor/Reeve

Administrator

Date

Minister of Municipal Affairs or Designate

Date:

Highway Traffic Board

CERTIFIED A TRUE COPY OF BYLAW NO. 01/2010 GIVEN THIRD AND FINAL READING AT A SPECIAL MEETING OF COUNCIL ON MONDAY, FEBRUARY 22, 2010.

Tina Rasmussen, Administrator

APPENDIX 1
of Bylaw No. 14/2008

"STOP" STREETS [section 2(a)]

| Street or Avenue | Where intersected by street or avenue |
|-------------------------|--|
| Toby Road | Highway 55 |
| Beaver Road | Highway 55 (Macintosh Avenue) |
| Mill Avenue | Highway 55 (Macintosh Avenue) |
| Riverside Drive | Highway 55 (Macintosh Avenue) |
| Main Street | Highway 55 (3 rd Avenue) |
| North Street | Highway 55 (3 rd Avenue) |
| Highway 155 | Highway 55 (3 rd Avenue) |
| 1 st Avenue | Highway 155 |
| 2 nd Avenue | Highway 155 |
| Perch Crescent | Toby Road |
| Pickerel Crescent | Toby Road |
| Kennedy Avenue W | Toby Road |
| Rediron Avenue W | Toby Road |
| Anderson Avenue W | Toby Road |
| Gardiner Avenue W | Toby Road |

APPENDIX 2
of Bylaw No. 14/ 2008

"YIELD" STREETS [section 2(b)]

| Street or Avenue | Where intersected by street or avenue |
|-------------------------|--|
| 1 st Avenue | North Street |
| 2 nd Avenue | North Street |
| McKay Avenue | North Street |
| Mobile Crescent | North Street |
| Sayese Avenue | North Street |
| 4 th Avenue | North Street |
| 5 th Avenue | North Street |
| 1 st Avenue | Main Street |
| 2 nd Avenue | Main Street |
| McKay Avenue | Main Street |
| Teston Street | Main Street |
| Sayese Avenue | Main Street |
| 4 th Avenue | Main Street |
| 5 th Avenue | Main Street |
| Jack Bay | Perch Crescent |
| Spruce Place | Perch Crescent |
| Spruce Terrace | Perch Crescent |
| Pike Bay | Pickerel Crescent |
| South Point Terrace | Pickerel Crescent |
| South Point Place | Pickerel Crescent |
| Matilda Sinclair Drive | Anderson Avenue West |
| Anderson Avenue West | McCallum Street |
| Gardiner Avenue West | McCallum Street |
| Rediron Avenue West | McCallum Street |
| Kennedy Avenue West | McCallum Street |

Form 1

APPENDIX 3
of Bylaw No. 14/2008

PERMIT FOR OPERATION OF LUG VEHICLE [section 3(e)(i)]

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.

(5)I understand that all municipal bridges have secondary weight limitations unless posted otherwise and I will ensure that I comply with any and all weight restrictions.

Owner/Operator

APPENDIX 4
of Bylaw No. 14/2008

"SPEED ZONES – SCHOOLS" [section 3(i)(ii)]

| Street or Avenue | From | To |
|-------------------------|------------------------|------------------------|
| North Street | 3 rd Avenue | 1 st Avenue |

"SPEED ZONES – HIGH PEDESTRIAN TRAFFIC AREAS" [section 3(i)(iii)]

Perch Crescent
Pickernel Crescent
Jack Bay
Spruce Point
Spruce Terrace
South Point Place
South Point Terrace
Pike Bay
Gardiner Ave, West
Anderson Ave, West
Rediron Ave, West
Kennedy Ave, West
McCallum Street
Matilda Sinclair Drive

Form 2

APPENDIX 5
of Bylaw No. 14/2008

NOTICE OF VIOLATION [section 5(d)(ii)]

Northern Village of Green Lake

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

On the ____ day of _____, 20__, at/near _____, Saskatchewan at ____ am/pm

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

| | |
|---------|-----------------|
| Parking | Bylaw No. _____ |
| Traffic | 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 or RCMP

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is one hundred dollars (\$100.00) or less, you may make voluntary payment of the above penalty at the municipal office of the Northern Village of Green Lake during regular office hours or by mail within 14 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 5 of the said bylaw.