Traffic Bylaw

Pursuant to *The Municipalities Act* the Rural Municipality of Lakeland No. 521 has the general power to pass any bylaws that it considers expedient in relation to transport and transportation systems, including carriers of persons or goods and subject to *The Traffic Safety Act*, the use of vehicles and the regulation of pedestrians, streets and roads, including temporary and permanent openings and closing.

BYLAW NO. 8 of 2010

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

The Council of the Rural Municipality of Lakeland No. 521, in the Province of Saskatchewan enacts as follows:

TITLE

This bylaw shall be referred to as "The Traffic Bylaw".

PART I – PURPOSE and DEFINITION

PURPOSE

The purpose of this Bylaw is to regulate vehicular and pedestrian traffic, the use of public streets and to maintain safety and preserve order thereon within the Rural Municipality of Lakeland No. 521.

1. **DEFINITIONS**

For the purpose of this bylaw, the following terms and words shall have the following meanings:

- (a) "Act" means *The Traffic Safety Act* as amended from time to time, and any successor thereto;
- (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) "animal" does not include a horse with a rider or driver;
- (e) **"certificate of registration"** means a valid certificate of registration issued to a person pursuant to *The Traffic Safety;*
- (f) **"council"** means the council of the Rural Municipality of Lakeland No. 521;

- (g) **"curb"** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (h) **"designated officer"** means a person appointed by the Municipality to enforce this Bylaw and shall include a Bylaw Enforcement Officer the Administrator and a Peace Officer;
- (i) "**disability permit**" means a parking permit issued by the Saskatchewan Abilities Council to a person with a disability;
- (j) **"driver's licence"** means a valid licence issued pursuant to *The Traffic Safety Act;*
- (k) "driveway" means a private right-of-way, paved or unpaved, that provides access for vehicles and pedestrians from a highway to a lot or a carport, garage, parking pad, loading berth, or structure located on the lot;
- "Fire Department" and "department" shall mean Lakeland and District Volunteer Fire Co-op or any person acting under the direction of the department or on their behalf;
- (m) "gross vehicle weight" means:
 - (i) the combined weight of a vehicle, for which a certificate of registration or registration permit is required by this Act to be obtained, and the load carried on that vehicle; or
 - (ii) the combined weight of two or more vehicles coupled or joined together, for each of which a certificate of registration or registration permit is required by this Act to be obtained, and the combined weight of the loads carried on each of those vehicles;
- (n) "highway" means a road, parkway, driveway, square or place within the Municipality under the direction, control and management of the Municipality that is designed 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 designated by Council for the primary use of the parking of vehicles and the necessary passageways on to or exiting from such area; and "public highway" means a provincial highway;
- (o) **"justice"** means a justice of the peace as per *The Interpretation Act*, *1995*;
- (p) "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;

- (q) **"median"** means a physical barrier or area that separates lanes of traffic on a highway;
- (r) "motorcycle" means a vehicle that:
 (i) is propelled or driven by any means other than by muscular power;
 (ii) has two or three wheels;
 (iii) is designed for use on a highway; and
 (iv) does not have a cab for the driver;
 but does not include:
 (v) industrial vehicles;
 (vi) farm equipment; or
 (vii) all terrain vehicles;
- (s) **"motor vehicle"** means a vehicle propelled or driven by any means other than by muscular power, but does not include a motorized wheel chair;
- (t) **"municipality"** means the Rural Municipality of Lakeland No. 521;
- (u) **"official sign"** means a sign, pavement marking, barricade or object that is authorized by the minister responsible for the administration of *The Highways and Transportation Act, 1997* pursuant to another Act or by that minister or any other person pursuant to this Act to be erected, placed, used or painted on the roadway or right of way of a highway for the legal control, warning, guidance, direction or information of traffic on the highway;
- (v) "one-way highway" means a highway designated as one-way by signs on or erected or posted along the highway directing traffic to proceed in only one direction;
- (w) "parking" shall mean the standing of a vehicle, whether occupied or not, on a highway, other than standing temporarily for the lawful purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations, traffic control devices or the directions of a peace officer;
- (x) "peace officer" means a Constable or Special Constable of the Municipality, and shall include a Bylaw Enforcement Officer the Supervising Officer, Enforcement & Protective Services and a member of the Royal Canadian Mounted Police;
- (y) **"pedestrian"** means any person on foot or confined to a wheelchair, whether powered by human power or by motor;
- (z) **"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;

- (aa) **"public service vehicle"** means a vehicle as designated by the Municipality for the purpose of maintenance, civic duty, police and emergency service, and shall include a vehicle of the R.C.M.P., fire and ambulance service while engaged in service;
- (bb) **"receptacle"** means a container provided by the Municipality at or near a highway for purposes of receiving or collecting litter;
- (cc) **"speed bump"** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- (dd) **"speed zone"** means any portion of a highway within the Rural Municipality of Lakeland No. 521, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (ee) "stop" means:
 - (i) when required, a complete cessation from movement; and
 - (ii) when prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or a traffic control device;
- (ff) "Supervising Officer Enforcement and Protective Services" means a person appointed by the Municipality to oversee the Bylaw Enforcement Unit of the Municipality;
- (gg) **"towing vehicle"** means the lead motor vehicle in a combination of vehicles that draws, pulls or tows any other vehicle or vehicles in that combination of vehicles;
- (hh) **"traffic"** means the movement of pedestrians, vehicles or livestock on any highway in the Municipality;
- (ii) **"traffic sign"** means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic;
- (jj) "trailer" means a trailer as defined in *The Traffic Safety Act*;
- (kk) **"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;
- (ll) **"vehicle"** means a vehicle, trailer or semi-trailer or a motor vehicle as defined to by *The Traffic Safety Act*;

1.1 All schedules to this Bylaw are hereunto attached and are part of this Bylaw.

PART II – RULES OF ROAD and DRIVING

- 2. A Peace Officer is hereby authorized to direct traffic in conformity with this Bylaw and *The Traffic Safety Act*.
- 3. a) Notwithstanding any other provisions of this Bylaw, in the event of a fire, traffic accident, or other emergency a peace officer or person designated by a peace officer, or a firefighter, are hereby authorized in the course of the performance of their public duties to direct or prohibit traffic on any highway in any manner they reasonably deem necessary that does not contravene *The Traffic Safety Act*, in order to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether or not in conformity with this Bylaw.

b) Every person shall comply with a direction or signal of a peace officer, a person designated by a peace officer, or a fire fighter given under authority of this section.

- 4. Subject to Schedule "A" hereunto attached and forming part of this bylaw no person shall operate a vehicle on any highway in the municipality at a speed greater than 30 km per hour.
- 5. When water, mud or slush is laying on a highway the driver of a vehicle shall drive on the highway in a manner so as to take reasonable precaution not to splash any pedestrian.
- 6. No person shall operate a vehicle on any highway if that vehicle may cause damage to the highway.
- 7. A person shall not open or leave open the door of a motor vehicle that is next to moving vehicular or pedestrian traffic unless it is safe to do so.
- 8. a) No person shall operate a vehicle in a lane designated for pedestrian and bicycles only, except for the purpose of making a right turn onto or off of a highway where a pedestrian and bicycles only lane is in effect.
 - b) No person shall stop a vehicle in a lane designated for pedestrian and bicycles only.
 - c) Sections 8a) and 8b) shall not apply to any public service vehicle while such is actively engaged in service.
- 9. A person who drives a motor vehicle, with or without a trailer, shall not allow refuse or any other goods or materials to escape or be scattered upon a highway or upon land or in the vicinity thereof.
- 10. No person shall obstruct, interfere with or interrupt the free passage of traffic on any highway.

11. a) No person operating a vehicle shall drive the vehicle across or stop a vehicle on any fire equipment, including water hose, which is in use or intended to be used by members of the Fire Department;

b) No offence will have been committed pursuant to subsection 11 a) if the person operating a vehicle was directed by a Peace Officer, member of the Fire Department or person authorized to so direct traffic, to drive or stop the vehicle on such fire equipment.

- 12. A person shall not tow a vehicle on a street in an unsafe manner or with an unsafe tow rope, tow chain or other connecting device.
- 13. a) No person operating a vehicle shall cross any double solid yellow centre line on a highway.

b) No person operating a vehicle shall cross any single solid yellow centre line on a public highway except for the purpose of turning left at an intersection or curb crossing or backing from a curb crossing.

- 14. No person operating a vehicle shall drive the vehicle in reverse around the corner at a highway intersection.
- 15. No person operating a vehicle shall drive the vehicle across a curb except at a curb crossing.
- 16. No person shall cause a vehicle to make a U-Turn between intersections.
- 17. The operator of a vehicle shall not execute "power turns" on any highway in the Municipality.
- 18. a) No person shall, except in a Receptacle, dispose of Litter on any portion of any highway.

b) No person shall, except in a Receptacle, dispose of Litter on any portion of a highway from a Vehicle.

c) No person shall dispose of burning Litter on any portion of a highway.

a) Subject to Subsection 18.1(b), if a contravention under Subsections 18(a) or 18(c) occurs from a Vehicle, and for all contraventions referred to in Subsection 18(b), the owner of that Vehicle is guilty of the offence.

b) Subsection 18.1 (a) does not apply if the owner of the Vehicle satisfies the Court that the owner was not in control of the Vehicle, and that the person having control of the Vehicle at the time of the offence had control of the Vehicle without the owner's express or implied consent.

- 19. No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first obtaining from the Administrator, a permit, hereunto attached to this bylaw in Schedule "B" in writing authorizing same and paying the prescribed fee if any.
- 20. Nothing contained in Section 19 shall be deemed to preclude the transport of a lug vehicle over any highway where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

PART III - STREET and SIGNS

- 21. On this bylaw coming into force and effect existing traffic signs that are replaced within the Municipality and any new traffic signs erected shall generally conform to the requirements of the Uniform Traffic Control Devices for Canada as distributed by the Transportation Association of Canada.
- 22. Any person stopped, detained or otherwise pursuant to any Part, Section or subsection of this Bylaw shall be required to give his or her name, date of birth and address on request of the person requesting the information so long as that person is readily identifiable as a peace officer and is in the lawful execution of his or her duties and responsibilities.
- 23. The Council may, upon the report of a peace officer that a hedge, shrub, tree or any other obstruction situated at an intersection is dangerous to traffic, by resolution order such hedge, shrub, tree or obstruction be removed or shortened to such a height as may be deemed necessary to overcome such danger.
- 24. a) Council shall cause to be erected and maintained at all stop highways 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 highways 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 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.

25. a) The Administrator or a designated official appointed by Council may temporarily close to vehicular or pedestrian traffic, or temporarily prohibit parking on, any highway or portion thereof in order to avoid traffic congestion, danger, accident or for construction or maintenance purposes and the Administrator or designated official may install such temporary stop, yield or detour signs as may be required.

b) A person shall not drive, stop or park a vehicle or walk on any highway or portion thereof which is roped off, barricaded or indicated by notice or sign as being closed.

- 26. Unless authorized by Council, a person shall not install a sign, signal, light or any advertising sign, device or marking on any municipal sign or post. The Administrator or designated officer may remove, without notice, any such prohibited sign, signal, light or any advertising sign, device or marking.
- 27. a) Unless authorized by Council, a person shall not install a sign, signal, light or any advertising sign, device or marking on any portion of any highway or curb. The Administrator or designated officer may remove, without notice, any such prohibited sign, signal, light or any advertising sign, device or marking.

b) A person shall not install or keep installed in the Municipality any device which, in the opinion of the Administrator, Council or designated officer, is of such a nature or so positioned that it will distract the attention of a vehicle operator and in so doing create a traffic hazard.

- 28. No person shall deface, injure, destroy, or remove any sign or marker erected in accordance with the provisions of this bylaw.
- 29. No person shall place or allow to be placed an electrical cord, hose, chain, or other similar obstruction over or across any portion of a Street.
- 30. Pedestrian and bicycle only paths are established as follows;

Highway Name	From	То	Side
Southshore Drive	Hwy 952	Neis Beach	North

PART IV – ENFORCEMENT and OFFENCES

Stopping on Highways:

- 31. The provisions of this Part shall apply to all traffic approaching and facing a "stop" sign erected on highways maintained in accordance with the provisions of this Bylaw.
- 32. In accordance with *The Traffic Safety Act* and as required in this Bylaw, no driver of a vehicle shall fail to bring that vehicle to a stop on any highway facing a "stop" sign erected and maintained in accordance with the provisions of this Bylaw and "stop" at every place where a stop sign is erected;
- 33. If a driver is required pursuant to this Bylaw to a stop at a stop sign, the driver shall bring the vehicle to a stop:
 - (a) on the near side of the intersection at the marked stop line;
 - (b) if there is no stop line three meters back from the intersection.

- 34. No person who is required to stop as required by this Bylaw shall proceed until it is safe to do so.
- 35. In accordance with *The Traffic Safety Act* and as required in this Bylaw, no driver of a vehicle shall fail to yield on any highway facing a "yield" sign erected and maintained in accordance with the provisions of this Bylaw.
- 36. No driver who has yielded the right of way as required by this Bylaw shall proceed until it is safe to do so.

Speed, One Way Highway, Failing to Stop, Failing to Yield etc.:

- 37. The penalties for these and other traffic violations other than parking under *The Traffic Safety Act*, shall be liable to the penalties imposed by *The Summary Offences Procedure Act* and/or any other applicable legislation.
- 38. Any person who contravenes any provision of this Bylaw is guilty of an offence.
- 39. Unless otherwise provided in this Bylaw, and where the option exists a designated officer may issue a Notice of Violation with a voluntary payment option for breach of any provisions of this Bylaw, as set out in Schedule "C" of this bylaw.
- 40. Notwithstanding Section 39 of this Bylaw, and unless otherwise specifically provided by this Bylaw, any person who contravenes any of the provisions of Part II, Part III, Part IV is guilty of an offence and liable on summary conviction to a penalty of not less than \$100 and not more than:
 - a) \$10,000 in the case of an individual; and
 - b) \$25,000 in the case of a corporation.
- 41. The Supervising Officer Enforcement and Protective Services may cancel any Notice of Violation issued pursuant to this Bylaw where, in the opinion of the Supervising Officer Enforcement and Protective Services, that Notice of Violation was issued improperly or in error.
- 42. If any Part, Section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

43. <u>**REPEAL**</u>

Bylaw No. 2-2010 of the R.M. of Lakeland No. 521 is hereby repealed.

44. **<u>COMING INTO FORCE</u>**

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

Mayor/Reeve

Administrator

SCHEDULE "A" hereunto annexed and forming part of Bylaw No.8 of 2010.

Administrator

- 1. Unless otherwise posted, or pursuant to this bylaw the speed limit on all highways shall be 30 KM per hour.
- 2. The following highways shall be 10 KM per hour
 - a. Sunset Lane
 - b. Front Street
- 3. The following Highways shall be 50 KM per hour
 - a. Lutheran Road from highway 263 to Kinasao camp entrance
 - b. Ambrose Road from highway 953 to Southshore Drive

SCHEDULE "B" hereunto annexed and forming part of Bylaw No.8 of 2010.



Administrator Rural Municipality of Lakeland No. 521

> Box 27 Christopher Lake, Sask. S0J 0N0

PERMIT FOR OPERATION OF LUG VEHICLE

Name and Address of Applicant:		
Name of Company: (if different then above)		
Address of Company: : (if different then above)		
Type of vehicle:		
Route:		
Date(s) permit required	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 any and all damages caused to such highway and 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.

Permit approved for the following date(s):

Owner/Operator

Per - R.M. of Lakeland No. 521

SCHEDULE "C" hereunto annexed and forming part of Bylaw No.8 of 2010.

Administrator

PART II – RULES OF ROAD and DRIVING

- 1. Any person who is in violation of this bylaw may, upon being served with a Notice of Violation by a designated officer, pay a penalty as identified in this schedule within fourteen (14) days of the offense payable to the Rural Municipality of Lakeland No. 521.
- 2. a) A violator may be issued a Notice of Violation with respect to a violation of any of the Sections of this bylaw, as set out in Schedule "C". Upon being served with a Notice of Violation, the person may during the regular office hours, voluntarily pay the penalty at the municipal office within 14 calendar days and upon payment as so provided, that person shall not be liable to prosecution of the offence.

	_					
	Payment amounts					
Section	Fine	Voluntary Payment Notice of Violation	Description			
3 (a)	100	50	Fail to comply with direction or signal of peace officer / firefighter or designate			
5	50	40	Splash mud			
6	50		Operate vehicle that may cause damage			
7	40	40	Leave door open next to vehicular / pedestrian traffic when unsafe to do so			
8 (a)	225	75	Operate vehicle in bicycle pedestrian walkway			
8 (b)	150	50	Stop vehicle in bicycle pedestrian walkway			
9	200	100	Allow refuse, matter or any other goods to escape from vehicle / trailer and be scattered upon highway or other lands.			
10	40	40	Obstruct interfere interrupt free passage of traffic on highway			
11(a)	100	50	Drive over or stop on fire hose equipment without direction			
12	50		Tow unsafe -			
13 a)	120	80	Cross double solid yellow line			
13 b)	120	80	Cross single solid yellow line			
14	100	50	Drive reverse around a corner at a highway intersection			
15	150	80	Drive a vehicle across a curb other than a curb crossing			
16	100	50	Make u-turn between intersection			
17	100	50	Make Power turn			
18 (a)	500		a) No person shall, except in a Receptacle, dispose of Litter on any portion of any highway.			
18(b)	1000		b) No person shall, except in a Receptacle, dispose of Litter on any portion of a highway from a Vehicle.			
18 (c)	1500		c) No person shall dispose of burning Litter on any portion of a highway.			
19	200	100	Operate Lug vehicle without permit			

b) Penalty Payments Schedule PART II

PART III - STREET and SIGNS

3. a) Any person who is in violation of this bylaw may, upon being served with a Notice of Violation by a designated officer, pay a penalty as identified in this schedule within fourteen (14) days of the offense payable to the Rural Municipality of Lakeland No. 521.

4. a) A violator may be issued a Notice of Violation with respect to a violation of any of the Sections of this bylaw, as set out in Schedule "C" Part III. Upon being served with a Notice of Violation, the person may during the regular office hours, voluntarily pay the penalty at the municipal office within 14 calendar days and upon payment as so provided, that person shall not be liable to prosecution of the offence

Pay		ent amounts	
Section	Fine	Voluntary Payment Notice of Violation	Description
25 b)	150		Drive, stop, park , walk on highway barricaded roped off posted as closed
26	100	40	Install sign signal, advertising sign device marking on municipal sign or post – may remove without notice
27 a)	125	60	Install sign on untraveled portion without authorization
27 b)	125	60	Have device that is positioned distract attention of a vehicle operator and in doing create traffic hazard
28	100	50	Deface injure destroy remove sign or marker erected
29	100	30	Place electrical cord, hose, chain or other similar obstruction over or across any portion of a street.

b) Voluntary Payments PART IV

Administrator



Rural Municipality of Lakeland No. 521

Box 27 Christopher Lake, Sask. S0J 0N0

SPECIAL OCCASION PARKING PERMIT

The Reeve and Council are pleased to extend a welcome to all our visitors to the Municipality! As our guest, you are exempt from limited parking penalties. Kindly place this card so it is clearly visible, on your windshield, inside the car, while parked on the street or in the designated area that this *special occasion parking permit was issued*.

> Enjoy your visit! NOT VALID AFTER:

11:00 PM ___/ ___/

In any circumstance this pass is not valid more then 3 days. You must comply with all other provisions of our Traffic Bylaw and all Provincial Laws.

Issued by:_____



NOTICE OF VIOLATION

Administration Office (306) 982-2010 Enforcement and Protective Service – Bylaw Enforcement (306) 982-4466 Box 27 Christopher Lake, SK S0J ONO

NAME:				M F	Ticket No. 125
DRIVER'S LICENCE			CLASS		
JURISDICTION SK	OTHER	R	Date of Birth	DD/M	M / YYYY
ADDRESS:					
(Street)			(City)	(Pro	wince, Postal Code
On the day of	20	at / near	·	a	t,M.
Did unlawfully commit the fol	lowing offer	nce under se	ction No:		
Parking Bylaw Noof		Dog Byla	w No	of	_
Parks Bylaw No of		Nuisance	Abatement E	Bylaw No	of
Other Bylaw No of		Traffic By	ylaw No	of	
DESCRIPTION OF OFFENC	E:				
A voluntary payment of \$ being issued to avoid prosecution		must be paid	within 14 day	ys of the date o	f this Notice
To avoid prosecution the paymen No. 521 administration office dur					R.M. of Lakeland
I,	_ a designate	d officer auth	orized to issu	e this Notice C	ERTIFY that I
did on the day of		2	20 is	sue this notice.	
Signature of Officer					
Other information not part of the	charge but fo	r information	1.		

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above allows for a voluntary payment, such payment of the above penalty is payable at the municipal office of the RM of Lakeland No. 521 during regular office hours or by mail within 14 days from the date of service of this Notice of Violation. This Notice must accompany payment

NOT DISPOSING OF THIS NOTICE WILL RESULT IN PROSECUTION.