

Traffic Bylaw

Pursuant to *The Municipalities Act* the District 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 Highways and Transportation Act* and *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. 3-2024

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

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

TITLE

1. This bylaw shall be referred to as “*The Traffic Bylaw*”.

PART I – PURPOSE and DEFINITION

PURPOSE

2. The purpose of this Bylaw is to regulate vehicular and pedestrian traffic within the municipality and on any street, lane or property outside the municipality that is under control of the municipality.

DEFINITIONS

3. For 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) “**alley**” means a street or lane intended primarily to give secondary or rear access to a property.
 - (c) “**all terrain vehicle**” and/or “**ATV**” means all terrain vehicle as defined in *The All Terrain Vehicles Act*.
 - (d) “**boulevard**” means any area, whether improved, planted or not, lying between the traveled portion of the street and the property line of the adjacent property.
 - (e) “**Chief Administrative Officer**” means the person appointed as the administrator for the municipality pursuant to section 110 of *The Municipalities Act*.
 - (f) “**council**” means the council of the District of Lakeland No. 521.

- (g) “**crosswalk**” means a clearly marked pedestrian crossing.
- (h) “**Designated Officer**” means a person appointed by the Municipality to enforce this Bylaw. It shall include the Chief Administrative Officer and any Peace Officer of the Municipality.
- (i) “**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.
- (j) “**encroachment**” means for the purpose of this bylaw, the intrusion upon a street, walkway or boulevard during the construction, repair, or demolition of a building structure or object. Includes both standing objects and vehicles passing over street, walkway, or boulevard with the potential to cause damage.
- (k) “**Fire Department**” and “**department**” shall mean Lakeland and District Volunteer Fire Co-op or any person acting under the direction of the department or other fire brigade providing service in and for the municipality.
- (l) “**highway**” means a road, parkway, driveway, street, trail, alley, lane square or place within the municipality under the direction, control and management of the municipality or other place whether public or privately owned 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 declared by Council not to be a highway.
- (m) “**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.
- (n) “**motor vehicle**” means a vehicle propelled or driven by any means other than by muscular power, but does not include a motorized wheel chair.
- (o) “**municipality**” means the District of Lakeland No. 521.
- (p) “**peace officer**” shall be defined by the meaning in *The Traffic Safety Act*.
- (q) “**pedestrian**” means any person on foot or confined to a wheelchair, whether powered by human power or by motor.
- (r) “**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.
- (s) “**public highway**” means a provincial highway.

- (t) **“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.
 - (u) **“receptacle”** means a container provided by the Municipality at or near a highway for purposes of receiving or collecting litter.
 - (v) **snowmobile** – shall have the meaning as defined within *The Snowmobile Act*.
 - (w) **“street”** includes all or any part of a culvert or drain or a highway, public highway, road, lane, bridge, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians.
 - (x) **“Supervising Officer”** means a person appointed by the Council to administer and oversee law enforcement for the Municipality.
 - (y) **“traffic”** means the movement of pedestrians, vehicles, or livestock on any highway in the Municipality.
 - (z) **“traffic sign”** means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic.
 - (aa) **“trailer”** means a trailer as defined in *The Traffic Safety Act*;
 - (bb) **“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.
 - (cc) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as defined to by *The Traffic Safety Act*;
4. All other terms, expressions or words shall, insofar as not inconsistent with this Bylaw, have the same meaning as the Act or its Regulations or that of *The Highway and Transportation Act*, or its Regulations.
5. A Designated Officer, appointed pursuant to this bylaw is hereby authorized to:
- (a) pursuant to section 14(1) of *The Municipalities Act* temporarily close the whole or part of a street or road at any time for any purpose considered necessary. A designated officer so closing any part, or the whole of any street under this bylaw shall cause such street to be marked with signs indicating the street’s closure.
 - (b) prescribe the location and placement of every traffic sign within the Municipality, designate crosswalks upon any street and to cause the same to be marked with signs, painted lines on the surface of the street, and to keep a record of such locations and placements. Such records shall include, but are not limited to, Council resolutions and Bylaw amendments.
 - (c) To issue, revoke or suspend, an encroachment permit in a form as set out by the Chief Administrative Officer, for the encroachment upon a street, or boulevard.

- (d) To approve a temporary street closure for the purpose of a parade, block party or other community event.
 - (e) To permit a person to undertake an action or activity that may not be in conformity with this Bylaw.
6. Notwithstanding any other provisions of this Bylaw, or the Act, in the event of a fire, traffic accident, or other emergency or other situation, a peace officer or person designated by a peace officer, is hereby authorized to direct or prohibit traffic on any street or highway in any manner they reasonably deem necessary to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether or not in conformity with this Bylaw or the Act.
 7. Every person shall comply with a direction or signal given by a person identified in Section 6.

PART II USE OF STREETS

8. Subject to Schedule "A" hereunto attached and forming part of this bylaw no person shall operate a vehicle on any named street in the municipality at a speed greater than 30 km per hour.
9. No person shall operate a vehicle on any street if that vehicle may cause damage to the street.
10. No person shall, in any designated bicycle and pedestrian walking path,
 - (a) operate a vehicle, except for the purpose of making a turn onto or off a street where a pedestrian lane is in effect.
 - (b) No person shall stop a vehicle in a lane designated for pedestrians.
 - (c) Sub sections (a) and (b) above shall not apply to any public service vehicle while such is actively engaged in service.
11. 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 street or upon land or in the vicinity thereof.
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. No person shall dispose of burning litter on any portion of a highway.
14. The penalty fine for contravention of Section 13 shall be \$1500, plus any surcharge.
15. If a contravention under Section 13 occurs from a vehicle the owner of that vehicle is guilty of the offence and be subject to the fine amount identified within this bylaw.

16. Section 15 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.
17. No person shall propel, operate, or drive any lug vehicle upon any street within the municipality without first paying a deposit to the municipality and obtaining, from the Chief Administrative Officer, written authorization for the use of the lug vehicle and abiding by any requirements or direction of that authorization related to the use of a lug vehicle.
18. The operation of All-Terrain Vehicles and Golf Carts shall be governed by bylaw of the Municipality, or in absence of such, applicable provincial or federal law governing their operation.
19. E-scooters may be operated on all streets of the Municipality with a posted speed limit of 50 km/h or less and provided that:
 - (a) The operator of the E-Scooter is at least 16 years of age.
 - (b) The operator is wearing an approved helmet.
 - (c) The operator of the e-scooter does not have any passengers, nor towing anything behind them.
20. A snowmobile may be operated on all municipal streets during winter like conditions that exist within the municipality between the period December 1st to April 15th.
21. The operation of a snowmobile on municipal streets is permitted only if the snowmobile and snowmobile operator are complying with *The Snowmobile Act*, this bylaw and the Act.
22. Council may prescribe other snowmobile routes, on through or over public property, and shall cause signs to be erected identifying the permitted use of a snowmobile.

PART III - STREET and SIGNS

23. 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.
24. A person shall not drive, stop, or park a vehicle or walk on any street or portion thereof which is roped off, barricaded, or indicated by notice or sign as being closed.
25. Unless authorized by a Designated Officer or Council, a person shall not install a sign, signal, light or any advertising sign, device or marking on any portion of any municipal sign, post, Street, or boulevard. A Designated Officer may remove, or cause the removal, without notice, any such prohibited sign, signal, light or any advertising sign, device or marking.

26. No person shall deface, injure, destroy, or remove any sign or marker erected in accordance with the provisions of this bylaw.
27. The bicycle and pedestrian walking path are hereby established as follows.

Street Name	From	To	Side of Street
Southshore Drive	Hwy 952	Neis Beach	North

PART IV ENFORCEMENT, OFFENCES and PENALTIES

28. Any person stopped, detained or otherwise pursuant to this Bylaw shall be required to give their 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.
29. No person shall deposit any objects or matter on any property owned, leased, or maintained by the municipality or on any street, boulevard except as may be permitted by a Designated Officer.
30. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a penalty of not more than:
 - (a) \$10,000 in the case of an individual; and
 - (b) \$25,000 in the case of a corporation.
31. 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 of an amount of \$125.
32. With the exception of the voluntary payment offences listed in Table 5 under Part III of the Regulations for *The Summary Offense Procedure Act*, where a person is charged with contravention of this Bylaw and where circumstances reasonably warrant the imposition of a minimum fine, a peace officer may issue a summary offence ticket which allows that person the opportunity to concede and voluntarily pay the minimum fine in the amount of \$150 plus appropriate surcharge within the prescribed timeframe. In such cases the minimum fine shall be deemed to be a specified penalty sum for purposes of the voluntary payment option in accordance with *The Summary Offences Procedure Act*.
33. The Supervising Officer may cancel any Notice of Violation where, in the opinion of the Supervising Officer, that Notice of Violation was issued improperly or in error.
34. The owner of a vehicle is liable for any violation made pursuant to this bylaw in connection with the operation of the vehicle and be liable for the penalties contained within this bylaw, unless they prove, to the satisfaction of the Court trying the case, that at the time of the violation the vehicle was not being operated by themselves or by any other person with this consent, express or implied.

35. 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.

REPEAL

36. Bylaw No. 8-2010, and any amendments hereto, is hereby repealed.

COMING INTO FORCE

37. This bylaw shall come into force and effect on the day of its final passing.

Read a first time this day of, 2024.

Read a second time this day of, 2024.

Read a third time and adopted by Council this day of, 2024.

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Chief Administrative Officer

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Reeve

SCHEDULE “A” hereunto annexed and forming part of Bylaw No. 3-2024

Administrator

1. The following streets shall be 50 KM per hour.
 - a. Bells Beach Drive from highway 263 to Bay Drive.
 - b. Lutheran Road from Bay Drive to Jacobson Drive.
 - c. Ambrose Road from highway 953 to Southshore Drive.