

Traffic Bylaw

Village of Englefeld

Bylaw No. 2018-09

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

The Council of the Village of Englefeld 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 Village of Englefeld;
- (e) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (f) **“heavy vehicle”** means a vehicle with or without load which along or together with any trailer, semi-trailer or vehicle being towed, weights 4.5 tonnes or more;
- (g) **“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*;
- (h) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
- (i) **“lug vehicles”** means any vehicle with a portable engine or tractor engine having metal spikes, metal lugs or metal cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
- (j) **“municipality”** means the Village of Englefeld;
- (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 or at 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 zone**” means any portion of a highway within the Village of Englefeld, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (q) “**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;
- (r) “**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;
- (c) “**Loading Zones**”: highway locations listed in Appendix 3.

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 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(d)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 4, 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(d)(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(e)(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(e)(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(e)(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 5 shall angle park same.
- (iv) No person shall park a vehicle in any "No Parking" area as designated in Appendix 6 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 three (3) meters 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(e)(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 assembly.
(b) Nothing in sub clause 4(e)(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 park a vehicle with a manufacturer's rated capacity in excess of 5,500 kg on any street or avenue.

(f) Temporary Street Closure:

- (i) Any portion of a public highway may be temporarily closed to vehicular traffic by the Police or by resolution of Council of the

Village of Englefeld in order that pedestrians may have the exclusive use thereof.

- (ii) Notwithstanding any other provisions of this Bylaw, a Police Officer shall have the authority to temporarily prevent parking on any public highway or portion thereof whenever in his judgment it may be necessary in order to avoid traffic congestion, danger or accident.
- (iii) Notwithstanding any other provision of the Bylaw, the Village Foreman shall have the authority to temporarily prevent parking and/or prohibit traffic on any public highway or portion thereof to allow any work to be carried out by or on the behalf of the Village. Such work to include but not to be restricted to the snow removal, cleaning, repairing, or maintenance of such public highway.
- (iv) No person shall park a vehicle on any public highway or portion thereof on which parking has been temporarily prohibited by a Police Officer or the Village Foreman under the provisions of this subsection.

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

(h) **Snowmobiles:**

Under the provisions of *The Snowmobile Act and The Snowmobile Regulations, 1998*, and subject to clause 4(h)(ii),:

- (i) it shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 11:00 p.m. on any highway except Provincial Highway Number Five (5) within the limits of the municipality.
- (ii) Notwithstanding clause 4(h)(i) of this bylaw, it shall be lawful to operate a snowmobile on a portion of Highway Number Five (5) for the purpose of crossing the Provincial Highway.
- (iii) Notwithstanding clause 4(h)(ii) all Provincial highway crossings must be assessed by traffic operations staff from the Ministry of Highways and Infrastructure 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 Ministry of Highways and Infrastructure. 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 Ministry of Highways and Infrastructure.
- (iv) It shall be lawful to operate snowmobiles in the municipality at hours other than those specified in (a) 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. Five (5) 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(i) (ii) no person shall operate a vehicle in the municipality at a speed greater than forty (40) km/hr.
- (ii) No person shall operate a vehicle at a speed greater than thirty (30) km per hour in the speed zones as set out in Appendix 8.

(j) U-Turns:

- (i) No person shall cause a vehicle to make a U-Turn intersections, at the intersection of Highway No. 5 in the municipality.

(k) Bicycles:

- (i) No person shall operate a bicycle without having at least one hand on the handle bar.

(l) Weight Restrictions – Truck Routes

- (i) No person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 12,000 kg, except on a highway within the municipality designed as a Heavy Vehicle Route as list in Appendix 7.
- (ii) Subject to subsection (i), no person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds the maximum allowable weight pursuant to *The Vehicle Weight and Dimension Regulations, 1999*, on any highway within the municipality. Subsections (i) and (ii) shall not apply to vehicles making delivery on any highway in the municipality provided that the operator of the vehicle(s) uses the most direct route from and to the heavy vehicle route, as listed in Appendix 7.
- (iii) The provisions of *The Police Act* and *The Highways and Transportations Act* shall apply to the operators of the vehicles referred to in subsections (i) and (ii).

(m) All Terrain Vehicles:

- (i) It shall be lawful to operate all terrain vehicles in the municipality for the sole purpose of leaving the municipality by the most direct route or returning to a residence by the most direct route.
- (ii) The operation of all terrain vehicles is prohibited on:
 - a) the untravelled portion of the whole or any part of a highway, other than a provincial highway, in the municipality;
 - b) any private land in the municipality;
 - c) any municipal land in the municipality; and
 - d) any Crown land in the municipality that is used or occupied otherwise than by the Crown.
- iii. All personal and public liability will be the responsibility of the operator of the all terrain vehicle.

(n) Golf Carts:

- (i) It shall be lawful to operate a golf cart during the hours between sunrise and one-half hour after sunset on all public highways within the limits of the Village of Englefeld.
- (ii) No one shall operate a golf cart on Provincial Highway No. 5 within the limits of the municipality, except for crossing.
- (iii) No one shall operate a golf cart on a public highway within the limits of the municipality without a valid driver's license.
- (iv) All personal and public liability will be the responsibility of the operator of the golf cart.

(o) 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 or goods, 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.

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 6, 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 highway and at any designated point or points thereon, of such signs as it may deem expedient for warning, guidance, and directions of 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 a penalty of:

(i) Clause 4(c)(i)	- \$ 50.00
(ii) Clause 4(c)(ii)	- \$150.00

(b) Lug Vehicles and Power Turns:

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

- i. clause 4(d)(i) - \$150.00
- ii. subsection 4(g) - \$150.00

(c) Parking, U-Turns, Public Reserve, Loading Zones, Etc.:

A person who contravenes any of the provisions of subsections 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 thereunder shall be guilty of an offence and upon summary conviction, shall be liable to penalties as follows:

i.	Clause 4(e)(ii)	\$ 50.00
ii.	Clause 4(e)(iii)	\$ 50.00
iii.	Clause 4(e)(iv)	\$100.00
iv.	Clause 4(e)(v)	\$ 50.00
v.	Clause 4(e)(vi)	\$ 50.00
vi.	Clause 4(e)(vii)	\$ 50.00
vii.	Clause 4(e)(viii)	\$100.00
viii.	Clause 4(e)(ix)	\$100.00
ix.	Clause 4(h)	\$ 50.00
x.	Clause 4(i)(i)	\$100.00
xi.	Clause 4(i)(ii)	\$150.00
xii.	Clause 4(j)	\$ 50.00
xiii.	Clause 4(l)	\$100.00
xiv.	Clause 4(m)	\$ 50.00
xv.	Clause 4(n)	\$ 50.00
xvi.	Clause 4(o)	\$ 50.00

(d) Notice of Violation:

- i. A violator of any of the subsections of this bylaw, as set out in subsection 6 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 9, attached to and forming part of this bylaw.

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(e)(vii) when requested by the owner, occupant, licensee or permit holder of said land; or
 - 3. is found on a 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. the appeal period against the imposition and amount of said fines has expired;
 - c. at least two notices that the fines are outstanding were sent

- to the owner at least one week apart; and
- d. 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. 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 due and owing from the owner and enforceable by the municipality in any manner allowed by law.

8. **REPEAL**

Any Previous Bylaw pertaining to Traffic is hereby repealed

9. **COMING INTO FORCE**

This bylaw shall come into force and effect upon its final reading.

Mayor

(S E A L)

Administrator

Read a third time and adopted
This _____ day of _____

(Section 8 *The Municipalities Act*)

(Seal)

Date

Hiway Traffic Board

Highway Traffic Board
1621 A McDonald Street
Regina, Sask.
S4N 5R2

For approvals on Bus Stop Arms

APPENDIX 1
of Bylaw No. 2018-09

"STOP" STREETS [section 3(a)]

Street or Avenue	Where intersected by street or avenue	Direction of Traffic
1 st Ave. W	Hiway 5	South
Main	Hiway 5	South
1 st Ave. E	Hiway 5	South
2 nd St. N	1 st Ave. W	West (new)
1 st St. N	Main	East (new)
1 st St. N	Main	West (new)
2 nd St. N	Main	East
3 rd St. N	Main	East
2 nd St. N	Main	West
3 rd St. N	Main	West
Maurice Radoux Drive	Main	West (new)
1 st St. N	1 st Ave. E	East
2 nd St. N	1 st Ave. E	East (new)
2 nd St. N	1 st Ave. E	West
3 rd St. N	1 st Ave. E	West
2 nd St. N	2 nd Ave. E	East
3 rd St. N	2 nd Ave. E	East
3 rd Ave. E	1 st St. N	South (new)
2 nd St. N	3 rd Ave. E	East (new)
3 rd St. N	3 rd Ave. E	East
3 rd Ave. E	Maurice Radoux Drive	North (new)
1 st N	R.M. Road	East
Maurice Radoux Drive	R.M. Road	East

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APPENDIX 2
of Bylaw No. 2018-09

"YIELD" STREETS [section 3(b)]

Street or Avenue	Where intersected by street or avenue	Direction of Traffic
1 st St. N	1 st Ave. W	West
3 rd St. N	1 st Ave. E	East
1 st St. N	1 st Ave. E	West
2 nd Ave. E	1 st St. N	South
2 nd St. N	2 nd Ave. E	West
3 rd St. N	2 nd Ave. E	West

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APPENDIX 3
of Bylaw No. 2018-09

LOADING ZONES [section 3(c)]

Street or Avenue	From	To
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APPENDIX 4
of Bylaw No. 2018-09

PERMIT FOR OPERATION OF LUG VEHICLE [section 4(d)(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, tires 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, tires 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 Ministry of Highways and Infrastructure.

Owner/Operator

APPENDIX 5
of Bylaw No. 2018-09

"ANGLE PARKING AREAS" [section 4 (e)(3)(ii)]

Street or Avenue	From	To
Main Street	1 st St North	Highway 5
1 st Ave East	1 st St North	Highway 5

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APPENDIX 6
of Bylaw No. 2018-09

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

Street or Avenue	From	To
1 st Ave West	2 nd St North	Water Treatment Plant
1 st St North	Main	1 st Ave East

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APPENDIX 7
of Bylaw No. 2018-09

"HEAVY VEHICLE ROUTE "- [section 4(l)]

Street or Avenue	From	To
Main	Hiway 5	1 st St North
1 st Ave East	Hiway 5	1 st St North

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APPENDIX 8
of Bylaw No. 2018-09

"SPEED ZONES -" SCHOOLS - PLAYGROUND [section 4(i)(ii)]

Street or Avenue	From	To
1 st Ave West	3 rd St North	1 st St North
Main	3 rd St North	2 nd St North
1 st St North	1 st Ave West	Main

Form 2

APPENDIX 19
of Bylaw No. 2018-09

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

Village of Englefeld

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

On the day of , 20____, at/near Englefeld, Saskatchewan at _____ a.m/p.m

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 at Village Office. Payment must be made within 15 days to avoid prosecution.

Designated Officer