

# Traffic Bylaw

## Resort Village of Glen Harbour

### BYLAW NO. 18/2013

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

The Council of the Resort Village of Glen Harbour 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) **“administrator”** means the Administrator of the municipality;
- (b) **“all terrain vehicle”** and/or **“ATV”** means all terrain vehicle as defined in *The All Terrain Vehicles Act*;
- (c) **“council”** means the council of the Resort Village of Glen Harbour;
- (d) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (e) **“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*;
- (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 Resort Village of Glen Harbour;
- (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 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, and halls;
- (l) **“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;
- (m) **“designated officer”** means the Administrator, Royal Canadian Mounted Police, Sheriff or any other person appointed to enforce municipal bylaws;
- (n) **“speed bump”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;

- (o) **"speed zone"** means any portion of a highway within the Resort Village of Glen Harbour, 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. **SCOPE**

- (a) **"Yield" Streets:** highways listed in Appendix 1;

4. **INFRACTIONS**

- (a) **"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).

- (b) **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.

- (c) **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(c)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 2. 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(c)(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.

- (d) **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(d)(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(d)(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. Every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park the same.
- iv. No person shall park a vehicle within five (5) metres of any street intersection.
- v. No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.
- vi. 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.
- vii. (a) Subject to sub clause 4(d)(vii)(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 or place of public assembly.  
(b) Nothing in sub clause 4(d)(vii)(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.
- viii. No person shall park a vehicle with a manufacturer's rated capacity in excess of 5,500 kg on any streets or avenues within the Resort Village of Glen Harbour.

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

(f) **Snowmobiles:**

Under the provisions *The Snowmobile Act* and subject to clause 4(f)(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 within the limits of the municipality.
- ii. it shall be lawful to operate snowmobiles in the municipality at hours other than those specified for the purpose of leaving the municipality by the most direct route or returning to a residence by the most direct route.
- iii. 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.
- iv. any snowmobile entering onto a public highway shall do so from an established public highway approach.

(g) **Speed:**

- i. No person shall operate a vehicle in the municipality at a speed greater than thirty (30) kilometres per hour.

(h) **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.

(i) **Vehicles on Public Reserves, etc.**

- i. No person may operate or park a vehicle on any public area.
- ii. The provisions of clause 4(i)(i) shall not apply to maintenance vehicles using a designated parking area.

(j) **Bicycles:**

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

(k) **All-Terrain Vehicles:**

- i. The operation of all-terrain vehicles is permitted on:
  - a) both the travelled and the un-travelled portion of the whole or any part of a highway in the municipality; and
  - b) any municipal land in the municipality.
- ii. The operation of all-terrain vehicles is permitted on private property provided the operator has obtained permission from the property owner for accessing the property.
- iii. Every person who intends to operate an all-terrain vehicle within the limits of the Resort Village of Glen Harbour shall first register his/her all-terrain vehicle with the Resort Village Administrator along a one-time registration fee of \$ 10.00.
- iv. Upon receipt of the one-time \$ 10.00 registration fee, the Administrator of the Resort Village of Glen Harbour has provided the registrant with a registration identification plate that shall be clearly displayed on rear of the all-terrain vehicle at all times.

5. **SIGNS**

- (a) Council shall cause to be erected and maintained at all yield streets listed in Appendix 1, 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.
- (b) Council shall cause to be erected and maintained at all "Speed Bump" locations as listed in Appendix 3, at each of three (3) locations throughout the Resort Village of Glen Harbour at a distance of approximately ten (10) metres from the speed bump an appropriate sign warning of the bump and identifying the maximum speed at which it is safe to proceed over the speed bump, so placed to face the traffic approaching the speed bump.

6. **PENALTIES**

(a) **Signs:**

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

- i. clause 4(c)(i) \$ 250.00
- ii. subsection 4(e) \$ 100.00

(c) **Parking, Public Reserve:**

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(d)(ii)	\$ 100.00
ii.	Clause 4(d)(iii)	\$ 100.00
iii.	Clause 4(d)(iv)	\$ 100.00
iv.	Clause 4(d)(v)	\$ 100.00
v.	Clause 4(d)(vi)	\$ 100.00
vi.	Clause 4(d)(vii)	\$ 100.00
vii.	Clause 4(d)(viii)	\$ 100.00
viii.	Clause 4(h)(i)	\$ 100.00

**(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 twenty (20) 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 4, attached to and forming part of this bylaw

**(e) Bicycle Contravention**

The penalty for the contravention of section 4(k) is as follows:

- (i) for the first infraction impounding the bicycle for seven (7) days; and
- (ii) for the second or additional infractions, impounding the bicycle for thirty (30) days.

**(f) All Terrain Vehicle Contravention**

The penalty for the contravention of section 4(k) shall be liable to the penalty imposed by section 32 of *The All Terrain Vehicles Act*.

**(g) 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.

**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(d)(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. 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. 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:
- legal action in a court of competent jurisdiction;
  - sale through public auction; or
  - 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:
- publishing a notice in a newspaper circulating in the municipality;
  - sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
  - 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**

Bylaw No. 01/2000 of the Resort Village of Glen Harbour is hereby repealed.

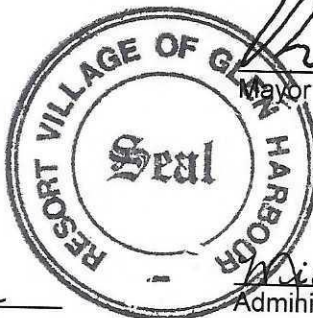
9. **COMING INTO FORCE**

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



Certified a true copy of Bylaw No. 16/2013 adopted by the Council of the Resort Village of Glen Harbour on the 6<sup>th</sup> day of July, 2013.

*Michele Cruise-Pletcher*  
Administrator



*[Signature]*  
Mayor

*Michele Cruise-Pletcher*  
Administrator  
(Section 8 The Municipalities Act)

**APPENDIX 1**  
of Bylaw No. 18/2013

**"YIELD" STREETS [section 3(a)]**

<b>Street or Avenue</b>	<b>Where intersected by street or avenue</b>
Kingbird Drive	Blue Bird Drive
Dove Drive	Kingbird Drive
Dove Drive	Blue Bird Drive
Flicker Road	Dove Drive
Meadowlark Drive	Blue Bird Drive
Robin Drive	Blue Bird Drive
Canary Drive	Blue Bird Drive
Blue Bird Bay	Blue Bird Drive
Robin Drive	Canary Drive
Avocet Bay	Canary Drive

**APPENDIX 2**  
of Bylaw No. 18/2013

**Form 1**

**PERMIT FOR OPERATION OF LUG VEHICLE** [section 4(c)(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.
- (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 3**  
of Bylaw No. 18/2013

**Speed Bump Locations**

<b>Street or Avenue</b>	<b>Location</b>
Canary Drive	Directly south of Lot 24, Block 13, Plan 102123212 and directly north of Lot 16, Block 14, Plan 102123425
Canary Drive	Directly south of Lot 7, Block 8, Plan 82R50311
Blue Bird Drive	Directly east of Lot 4, Block 1, Plan 101894519 and directly west of Block MR1, Plan 86R30847
Blue Bird Drive	Directly east of Lot 10A, Block 4, Plan 1021265630 and directly west of Lot 4, Block 8, Plan 92R50311
Blue Bird Drive	Directly east of Lot 10, Block 7, Plan 82R50311

**APPENDIX 4**  
of Bylaw No. 18/2013

**Form 2**

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

**Resort Village of Glen Harbour**

**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 \$ \_\_\_\_\_ or less, you may make voluntary payment of the above penalty at the Municipal Office of the Resort Village of Glen Harbour during regular office hours or by mail within \_\_\_\_\_ 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 \_\_\_\_\_ of the said Bylaw.