

BYLAW NO. 05-21

TRAFFIC BYLAW

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

The Council of the Resort Village of Bird's Point, in the Province of Saskatchewan, enacts as follows:

1. INTERPRETATION

- 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 degrees with the curb;
- b. **"Administrator"** means the administrator of the municipality;
- c. **"Boulevard"** means any land whether improved, planted or not, lying between the curb and the property line of the adjacent property or in a center island separating lanes or traffic directions, excepting the sidewalk if any;
- d. **"Council"** means the Council of The Resort Village of Bird's Point;
- e. **"Curb"** means the lateral boundaries of a roadway, whether or not marked by curbing;
- f. **"Hard Surfaced"** means the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement.
- g. **"Heavy Vehicle"** means a vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes or more;
- h. **"Highway"** means a road, parkway, driveway, square or place designated and intended for or used by the general public or 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, 1979*;
- i. **"Limits of the Municipality"** means the legal boundaries of the resort Village of Bird's Point.

- j. **“Lug Vehicle”** means any vehicle with a portable engine or traction engine having metal splices, lugs or cleats projecting from the face of wheels or tires thereof, or having metal track tread;
- k. **“Municipality”** means the Resort Village of Bird’s Point, Saskatchewan;
- l. **“One-way Highway”** means highway as ascribed to it by *The Highway Traffic Act*;
- m. **“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 highways, or a distance of not more than forty-five (45) centimeters from such curb;
- n. **“Parking”** has the meaning ascribed thereto by *The Highway Traffic Act*;
- o. **“Place of Public Assembly”** means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls, public assembly halls, hotels and restaurants;
- p. **“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;
- q. **“Recreation Vehicle”** means a vehicle, portable structure, trailer or watercraft that can be towed, hauled, carried on a vehicle or trailer, or driven and which is designed to be used for travel, accommodation or recreational purposes, including:
 - (A) A Park Model Home, motor home, camper, travel trailer, fifth-wheel trailer, tent trailer, truck camper, utility trailer, boat, canoe, kayak, snowmobile, all-terrain vehicle, jet ski, motorcycle, or other similar vehicle; or
 - (B) A trailer designed to carry an item listed in (A)
- r. **“Special Constable”** means the Royal Canadian Mounted Police or a person appointed to enforce municipal bylaws;
- s. **“Speed Bump”** means an uneven patch on a highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- t. **“Speed Zone”** means any portion of a highway within the Resort Village of Bird’s Point, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- u. **“Stopping”** means when required, a complete cessation from movement and, when prohibited, any stopping, even momentarily of a vehicle whether occupied

or not, except when necessary to avoid conflict with other traffic or compliance with the direction of a Designated Traffic Control Officer or a traffic control device;

- v. **“Street”** means a road, alley or other place designated and intended for or by the general public for the passage of vehicles and pedestrians, but does not include a private or publicly owner parking lot or driveway, not a designated highway with the City pursuant to *The Traffic Safety Act*;
- w. **“Traffic Control Officer”** means any person appointed by the Council to enforce the provisions of this Bylaw;
- x. **“Traffic sign”** means any sign, signal and or marking heretofore or hereafter placed or erected for the purpose of regulating or directing traffic;
- y. **“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 time;
- z. **“Vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Highway Traffic Act*.

2. SCOPE

- (a) Obedience to Signs:
No operation of a vehicle and no pedestrian shall disobey and applicable instructions or directions indicated on any traffic signs unless otherwise directed by a Traffic Control Officer.

3. INFRACTIONS

- a) Bicycles/Skateboards/Electric Scooters/or Roller Blades:
 - i. No person shall operate a bicycle without having at least one hand on the handle bar.
 - ii. No person shall operate a bicycle whose wheels have a diameter of more than sixteen (16) inches on the sidewalk.
 - iii. A Police Officer, Special Constable, Traffic Control Officer or Bylaw Enforcement officer may seize and impound for a period not exceeding 60 days any bicycle, skateboard, electric scooter or roller blades used or operated in contravention of this Bylaw.
 - iv. When a bicycle, skateboard, electric scooter or roller- blades have been seized and impounded as provided for in Subsection (iii), the owner or user shall, aside from any fine or penalty to which they may be subject, be liable for all reasonable costs incidental to the seizure and impound.

b) 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 the loading and unloading of goods

c) Lug Vehicles:

- i. No person shall propel, operate or drive any lug vehicle upon any highway/street within the municipality without first having obtained from the Administrator or Mayor and/or Council Member, a permit in writing authorizing the same.
- ii. The Administrator or Mayor and/or Council Member is hereby authorized to issue permits in writing for the purpose of Section (c)(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 or Mayor and/or Council Member 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. Nothing contained in Section (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) 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 or device.
- ii. No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this bylaw.

e) Parking:

- i. Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- ii. No person shall park a vehicle in any lane nor in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises.
- iii. Every person parking a vehicle upon a highway/street within the municipality where parking is permitted shall parallel park the same.
- iv. No person shall park a vehicle in any "NO PARKING" area as designated in "Appendix 1" at any time whether such areas are marked on the curb or otherwise erected or mentioned in accordance with the provisions of Section 4 to indicate that parking therein is prohibited.

- v. No person shall park a vehicle and/or recreational vehicle on any street
 - a. Within five (5) metres of any street intersection or fire hydrant.
 - b. For more than twenty-four (24) consecutive hours, for vehicles being used on a personal basis, and that vehicles being used on a commercial basis shall not be allowed to park for a period of time exceeding four (4) consecutive hours.
 - c. No owner or operator of a vehicle and/or recreational vehicle shall park the vehicle and/or recreational on any highway pursuant to this subsection in such a manner as to constitute a hazard to other person using the street.

- vi. No person shall park any vehicle in any private parking 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. All vehicles and recreation vehicles must be parked on a hard surface, with the exception of a single detached dwelling which may also have a gravel (dirt) surface.
- vii. No person shall park a vehicle on any street to the left of centre (wrong way)
- viii. (a) Subject to subsection (b), no person shall park any commercial vehicle designed for carrying or intended for carrying of oil, gasoline or other inflammable, combustible or explosive material, within 30 metres from any 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 subsection (a) shall be deemed to restrict the parking of any such vehicle for such a period of time as many be necessary to take on or discharge cargo.
- ix. No person shall park a truck in excess of 5.0 tonne (5,000 kg) on any street.
- x. No person shall park any vehicle on any boulevard.
- xi. No person shall park any unlicensed vehicle on any street or boulevard.
- xii. No person shall park a trailer on any street unless it is hitched to a towing vehicle. The only exception is for construction trailers. No person shall park a construction trailer on any street unhitched for more than a period of 12 consecutive daytime hours while carrying out work adjacent to where the trailer is located. The trailer cannot remain unhitched overnight.
- xiii. No person shall park a vehicle in such a manner that any portion of the vehicle extends over a sidewalk or curb.

- f) Power Turns:
The operator of a vehicle shall not execute “power turns” on any highway/street in the municipality.
- g) Maximum Speed:
- i. No person shall operate any vehicle in the municipality at a speed greater than the speed permitted in Appendix 2.
 - ii. Notwithstanding Subsection (i) a person shall not drive a vehicle on a street in a posted construction area at a speed greater than the posted speed limit for the construction area.
 - iii. A person shall not drive any vehicle in or on any parking area or structure at a speed greater than the speed permitted in Appendix 2.
- h) Stop Streets:
The provisions of The Traffic Safety Act shall apply to all traffic approaching and face a “stop” sign erected and maintained in accordance with the provisions of **Section 4 SIGNS, SIGNALS and SPEED BUMPS.**
- i) Stopping:
No person shall stop any vehicle in any private parking 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. Nor shall any person stop a vehicle in any areas as designated in Appendix 3.
- j) U-Turns:
No person shall cause a vehicle to make a U-Turn at the intersection of a street with a lane or any alley or in between intersection in the municipality.
- k) Vehicles on Municipal Reserves and Roads Closed:
- i. No person may operate or park a vehicle on any of the following:
 - a. Municipal Buffers
 - b. Municipal Reserve
 - c. Parks
 - d. Playgrounds
 - e. Pedestrian Crossings
 - f. School Grounds
 - g. Temporary Roads
 - h. Utility Corridors

- ii. The provisions of subsection (i) shall not apply to a vehicle using designated parking area, a maintenance vehicle, or a vehicle operated by a Municipal Employee, Police Officer, Designated Traffic Control Officer, Peace Officer or Bylaw Enforcement Officer when engaged in the performance of their duties.

l) Weight Restrictions:

- i. No person shall drive a vehicle in excess of 9.0 tonnes (9,000 kg) on any public road within the boundaries of the Resort Village of Bird's Point.
- ii. The Administrator or Mayor and/or Council Member is hereby authorized to issue permits in writing for the purpose of Section (l)(i) of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 2, Appendix 4 provided that the Administrator or Mayor and/or Council Member shall not issue any such permit unless he/she is satisfied that with reasonable care in operation of the overweight vehicle may be driven over any highway without damage resulting to highway/pavement.

m) "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 **Section 4, SIGNS, SIGNALS and SPEED BUMPS.**

n) Pedestrian Corridors:

- i. "Pedestrian Corridors" means a crosswalk that has been designed as pedestrian corridor and that is illuminated and distinctly indicated for pedestrian crossing by:
 - a) Lights and other traffic signals; and or
 - b) Lines or other markings on the surface of the roadway
- ii. When a vehicle is approaching a Pedestrian Corridor and is within One Hundred (100) feet thereof, the driver of any vehicle approaching the rear shall not overtake and pass such vehicle.
- iii. All vehicle operations shall stop before entering an occupied pedestrian corridor and shall not proceed until the corridor is unoccupied.

o) "4 Way Stop" Streets:

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "4 Way Stop" sign erected and maintained in accordance with the provisions of Section 4 **Signs and Signals.**

p) "3 Way Stop" Streets:

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "3 Way Stop" sign erected and maintained in accordance with the provisions of Section 4.

q) Discharge of Oil & other Contaminants from Vehicles onto Highway/Street

- i. No person shall park any portion of a vehicle on any highway/street where such vehicle is leaking any fluid, including but not limited to, oil or gasoline, but not including water from the vehicle's air conditioning unit.
- ii. Where a vehicle parked in contravention of subsection (i) leaks any fluid onto any portion of any highway/street, the owner of the vehicle shall cause the fluid to be cleaned up to the satisfaction of the Director of Public Works and Utilities.
- iii. If the owner of the vehicle fails to comply with subsection (ii) the Town may, in addition to any remedy, clean up the fluid at the vehicle owner's expense and the Town may recover the expense by adding them to the owner's municipal taxes.

4. **SIGNS, SIGNALS and SPEED BUMPS**

- (a) Council is hereby authorized to erect or cause to be erected, remove or cause to be removed such signs and signals as They may deem necessary for properly carrying out the provisions of the bylaw, or for the proper control of the traffic in the Resort Village of Bird's Point.
- (b) All stop, yield, 3 way stop, 4 way stop, and no U-turn signs shall be erected and in accordance with the Manual of Uniform Traffic Control devices.
- (c) All no parking and no stopping signs and/or curb markings shall be visible from that part of the highway/street to which the restriction applies.
- (d) Appropriate lights and/or traffic signs and/or lines or other marking on the roadway shall be erected and maintained at all "Pedestrian Corridors" such lights or signs shall be so placed to face traffic approaching the "Pedestrian Corridor".
- (e) On direction of Council, Municipal Employees may erect and maintain on any Highway/street, signs and/or speed bumps as may deem expedient for warning, guidance, directions or information.
- (f) Any person or company responsible for construction, construction equipment, or material within the highway/street must setup a safe temporary work traffic control zone. At the request of Council or designate; a written work zone traffic control plan may be required prior to approval for installation and setup.
- (g) No traffic control devices or traffic signage may be placed within the roadway including lanes without authorization from the Council or designate.

5. PENALTIES

- (a) Offence:
Any person who contravenes the provisions of Sections 3, 7, and 8 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 the penalties specified in Appendix 5 attached to this bylaw.
- (b) Violation Payment:
A violator, who has been served a Parking Violation Notice, may voluntarily pay the penalty at Village Office during regular office hours to avoid prosecution.

6. IMPOUNDING AND RELOCATING

- (a) A Police Officer, Special Constable, Bylaw Enforcement Officer, Traffic Control Officer or other person appointed by Council may remove or cause to be Removed any vehicle that is unlawfully placed, left or kept on any street or lane, public parking place, or other public place, or on Town owned property, and impound or store such vehicle.
- (b) Where a vehicle has been impounded or stored after it has been removed under Subsection (a), it may be retained at a place designated by Council for a period of thirty (30) days from date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of full costs herein, the vehicle may be released to the owner thereof.
- (c) If the cost of removal, impounding and storage are not paid within the period of thirty (30) days as specified in Subsection (b) the Town shall have the right to recover the same from the owner of the vehicle by:
 - i. Legal action in court of competent jurisdiction:
 - ii. Sale by public auction or publication of a notice designating the time and place of sale at least ten days prior to the sale in a newspaper circulating in the municipality and on sending such notice by registered mail to the owner at the address appearing on the last registration of the vehicle.
- (d) The Council or designate may have relocated or cause to be relocated any vehicle that is unlawfully placed and impeded works to be done by Municipal employees or towing company.

7. COVERING LOADS:

No person shall operate any vehicle transporting ashes, garbage, trade waste, refuse or debris of any kind or description whatsoever, along or over any street in the Municipality unless the load is securely covered.

8. SPILLED MATERIALS:

Should any material being transported on a Town highway/street be spilled, the Council should be contacted immediately. The spilled material shall be removed immediately by the person in charge of said material providing it is safe to do so. The highway/street shall be left in a clean and usable state as before the materials spilled. Any expenses incurred by the Municipality to do any clean-up after a spill shall be covered by the Company, Person or Persons involved.

9. REPEAL OF BYLAWS:

Bylaw No. 01-03, Bylaw No. 06-05 and Bylaw No. 04-19 are hereby repealed.

10. COMING INTO FORCE

This Bylaw shall come into force upon third reading thereof.

SEAL

MAYOR

ADMINISTRATOR

Introduced and read a first time this 5th day of July, 2021

Read a second time this 26th day of July, 2021

Read a third time this 26th day of July, 2021

Appendix 1

No Parking areas within the municipality:

- In any Alley;
- Within one metre of any entrance or exit of an alley unless otherwise indicated by signs or markings;
- Within one metre of any entrance or exit of any private driveway unless otherwise indicated by signs or marking;
- Within 10 metres of the intersection of two streets unless otherwise indicated by a sign or pavement markings;
- Where traffic signs have been placed prohibiting parking;
- In front of an accessibility ramp or so close thereto as to prevent or hinder pedestrian access;
- Within any intersection

Appendix 2

Maximum Speeds - Section 3(g)

- 15 KM Per Hour - High pedestrian Traffic areas and Play - Ground Zones
- 40 KM Per Hour - On all streets in The Municipality of Bird's Point not previously provided for
- Arterial Roads - as posted

Appendix 3

No Stopping Areas:

- Within an intersection unless traffic signs indicate that stopping is allowed;
- On any sidewalk or sidewalk crossing;
- On any marked crosswalk;
- On any area set aside for a sidewalk or boulevard;
- With the vehicles left-hand side to the curb;
- On any bridge or grade separated structure;
- Within School Bus Stops;
- Within 15 metres of a pedestrian corridor or as otherwise indicated by a traffic sign;
- Where prohibited by a traffic sign;
- On any median

Appendix 4

Form 1

Resort Village of Bird's Point, SASKATCHEWAN
PERMIT TO OPERATE A LUG VEHICLE.

Permission is hereby granted to _____

To operate a lug vehicle over the following route:

WITHIN THE Limits of the Resort Village of Bird's Point, Saskatchewan.

Administrator or designate

Form 2

Resort Village of Bird's Point, SASKATCHEWAN
PERMIT TO OPERATE AN OVERWEIGHT VEHICLE.

Permission is hereby granted to _____

To operate an overweight over the following route:

- Overweight Truck must designate the shortest route on Municipal Roadways
- Overweight trucks are required to continue in a straight line when possible to avoid making any turns on or off of the pavement from 1st Ave. or Curie Ave.
- Overweight Trucks are required to access 1st Ave and Currie Ave. early morning when possible to limit damage to roadways in higher Summer afternoon temperatures.

Vehicle owner is responsible for the cost of road repair if damage is known to be caused by this overweight vehicle.

WITHIN THE Limits of the Resort Village of Bird's Point, Saskatchewan.

Administrator or designate

Appendix 5

PENALTIES

INFRACTION	SECTION	DESCRIPTION OF OFFENCE	PEANLTY SUM IN DOLLARS
3 (a)		Bicycles, Skateboards, Scooters, Rollerblades	\$40.00
3 (b)		Loading Zones	\$60.00
3 (c)		Lug Vehicles	\$100.00
3 (d)		Miscellaneous Signs	\$125.00
3 (e)		Parking	\$120.00
		If paid within 10 days	\$60.00
3 (f)		Power Turns	\$125.00
3 (h)		Stop Streets	\$100.00
3 (i)		Stopping	\$100.00
		If paid within 10 days	\$40.00
3 (j)		U-Turns	\$125.00
3 (k)		Vehicles on Municipal Reserves and Roads Closed	\$125.00
3 (l)		Weight Restrictions – Truck Routes	\$1000.00 – plus cost to repair damage to pavement
3 (n)		Yield Signs	\$100.00
3 (o)		Pedestrian Corridors	\$100.00
3 (p)		4 Way Stop Streets	\$100.00
3 (q)		3 Way Stop Streets	\$100.00
7		Covering Loads	\$60.00
8		Spilled Materials	\$60.00