

# RESORT VILLAGE OF PASQUA LAKE

## BYLAW NO. 15-2024

### A BYLAW TO PROVIDE FOR THE REMOVAL OF ANY VEHICLE OR OTHER STRUCTURE THAT IS UNLAWFULLY PLACED ON MUNICIPALLY OWNED PROPERTY

The Council of the Resort Village of Pasqua Lake in the Province of Saskatchewan enacts as follows:

1. In this Bylaw, unless the context otherwise requires, the expression, word or phrase:
  - (a) Designated Officer shall mean an employee or agent appointed by the Municipality to enforce this bylaw and shall include the Chief Administrative Officer or Peace Officer.
  - (b) Municipality shall mean the Resort Village of Pasqua Lake.
  - (c) Municipal owned property includes buffer strips, environmental reserves, municipal reserves, municipally owned land, and public reserves.
  - (d) Person includes an individual, corporation or a partnership.
  - (e) Police Officer means a member of the Fort Qu'Appelle Detachment of the Royal Canadian Mounted Police
  - (f) Vehicle means a vehicle as described in *The Highway and Transportation Act, 1997*, means a device in, on or by which a person or thing is or may be transported or drawn on a highway and includes any load on the vehicle, including boat trailers, snowmobile trailers, recreational vehicles, light, medium and heavy weight trucks, ATVs, quads, side-by-sides, and utility trailers.
2. **Duration of Parking**  
No vehicle shall be parked on any municipal road or municipally owned property for an uninterrupted period of time longer than forty-eight (48) hours.
3. **Maximum Parking – 48 Hours**  
Any vehicle parked for an uninterrupted period of time longer than forty-eight (48) hours on any municipal road may be towed away at the expense of the owner thereof.
4. **Unattached Trailer or Semi-Trailer, Ice Fishing Shack or Other Structure**  
No person shall leave a trailer or semi-trailer which is unattached from the vehicle used for moving same, ice fishing shack, boat lift, dock, or other structure on a municipal road or municipally owned property, provided that this provision shall not apply to equipment owned or operated by the Municipality or contracted by the Municipality during the construction of capital works or maintenance projects.
5. **Parking of Unlicensed Vehicles**  
No vehicle shall be parked on a municipal road or municipally owned property unless it is displaying license plates for the current year.

6. **No Immobilized Vehicles on Municipal Road**  
No person shall leave any vehicle unattended for more than three (3) hours on any municipal road if the vehicle has been placed on a jack or jacks and one or more wheels have been removed from it or part of the vehicle has been raised.
7. **Vehicle Repairs**  
Vehicle repairs including changing of tires shall not be made on any municipal road unless in the case of emergency repair.
8. **Leave Any Vehicle, Thrown Glass**
  - (a) No person shall or allow a person to leave any vehicle or anything that might directly or indirectly encumber, obstruct, injure, or foul any municipal road or municipal owned property.
  - (b) No person shall throw glass or debris on any municipal road or municipally owned property.
9. **Traffic Not to be Obstructed**  
No person shall operate a vehicle or allow a vehicle to remain upon any municipal road so as to be an unreasonable obstruction to the traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this Section provided he promptly takes measures to clear the faulty vehicle from the municipal road.
10. **Removal of Vehicles**  
A police officer, designated officer or any person authorized by the police officer or designated officer or council may, without warrant:
  - (a) seize any vehicle, trailer, ice fishing shack or other structure that, in his or her opinion, is unlawfully parked, placed, left, or kept on any municipal road or municipally owned property;
  - (b) move or remove or cause to be moved or removed any vehicle, trailer, ice fishing shack or other structure that is unlawfully parked, placed, left or kept on any municipal road or municipally owned property;
  - (c) have the vehicle seized pursuant to clause (a) moved to a suitable place where it no longer constitutes a hazard or interferes with construction, maintenance, or snow removal operations.
11. Any vehicle, trailer ice fishing shack or other structure removed pursuant to sections 10: shall be impounded and stored at a site designated by the seizing officer, at the cost of the owner for a period of thirty (30) days after the date of removal of the vehicle, trailer, ice fishing shack or other structure unless the cost of removal, impoundment, and storage and any outstanding fines are sooner paid.
12. If the vehicle is not redeemed within thirty (30) days, pursuant to clause 11;
  - (a) The vehicle, trailer, ice fishing shack or other structure shall be dealt with as lost or unclaimed personal property.
  - (b) The Municipality shall have the right to recover from the owner of the vehicle, trailer, ice fishing shack, or other structure the cost of removal, impoundment, and storage, any outstanding fines, and the actual cost of advertising, by:

- (i) action in a court of competent jurisdiction.
  - (ii) sale of the vehicle, trailer, ice fishing shack or other structure at a public auction or by private sale, or
  - (iii) in lieu of costs released as salvage to the individual/company impounding the said vehicle, trailer, ice fishing shack or other structure.
13. The expenses mentioned in Subsection 11 are a lien upon the vehicle seized and if the owner of the vehicle, trailer, ice fishing shack or other structure cannot be found after advertising in the local newspaper for 2 consecutive weeks, or if he or she fails to pay the expenses within fourteen (14) days after the day on which a notice requiring him/her to do so has been served on him/her or sent to him/her by registered mail, the vehicle, trailer, ice fishing shack or other structure may be disposed of as described in Subsection 12(b) for the purpose of recovering the expenses.
14. Any person convicted of a breach of the provision of this Bylaw shall forfeit and pay at the discretion of the convicting Judge of the Magistrate’s Court or Justice of the Peace having jurisdiction in the Resort Village of Pasqua Lake, a penalty not less than Fifty (\$50.00) Dollars and not more than Five Hundred (\$500.00) Dollars.
15. Council may through an authorizing resolution:
- (a) Seize, without warrant, any vehicle, trailer, ice fishing shack or other structure that, in his or her opinion, is parked or left on a municipal road at a place or in any manner that:
    - (i) Constitutes a hazard to other users of the road or road allowance; or
    - (ii) Unduly interferes with construction, maintenance or snow removal operations; and
  - (b) Have the vehicle seized pursuant to clause (a) moved to a suitable place where it no longer constitutes a hazard or interferes with construction, maintenance or snow removal operations.

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*Original signed by*\_\_\_\_\_

Mayor

\_\_\_\_\_  
*Original signed by*\_\_\_\_\_

Administrator

Read a first time this 15<sup>th</sup> day of October, 2024  
Read a second time this 15<sup>th</sup> day of October, 2024  
Read a third time and adopted this 15<sup>th</sup> day of October, 2024.