

RESORT VILLAGE OF AQUADEO
Bylaw #10/2023
TRAFFIC BYLAW
A BYLAW TO REGULATE THE OPERATION & PARKING OF
VEHICLES AND THE USE OF THE HIGHWAYS

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

PART I - TITLE, APPLICATION, DEFINITIONS & SCOPE

1. This bylaw may be referred to as "The Traffic Bylaw".
2. That all the provisions and enactments set forth in this bylaw shall relate to and be in full force and effect within the limits of the Resort Village of Aquadeo.
3. **DEFINITIONS**
 - a. "CAO" means the Chief Administrative Officer for the Resort Village of Aquadeo;
 - b. "Boulevard" means that portion of right-of-way that extends from the edge of the street to the property line of the adjacent property, not including the sidewalk;
 - c. "Council" means the council of the Resort Village of Aquadeo;
 - d. "Designated officer" means the CAO, Royal Canadian Mounted Police, Bylaw Enforcement Officer, or any other person appointed to enforce municipal bylaws;
 - e. "Driver" means any person who drives or operates or is in charge of a vehicle on a public highway and includes an operator;
 - f. "Highway" means a road, parkway, driveway, square, street 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 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;
 - g. "Justice" means a justice of the peace as per The Legislation Act;
 - h. "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 a metal track tread;
 - i. "Manager" means the Village Foreman or CAO for the Resort Village of Aquadeo;
 - j. "Municipality" means the Resort Village of Aquadeo;
 - k. "Parking" has the meaning ascribed thereto by The Traffic Safety Act;
 - l. "Parking area" means any portion of a street or surfaced or un-surfaced area indicated by signs or markings as a place for parking;
 - m. "Person" includes a corporation or a partnership;
 - n. "Place of public assembly" means schools, theatres, churches, rinks and halls;
 - o. "Police officer or police constable" means any member of the Royal Canadian Mounted Police responsible for the policing of the Resort Village of Aquadeo or any person specifically appointed by the Resort Village of Aquadeo to be a Police Officer or Constable;

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- 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. "Recreational vehicle" means a self-propelled or towed vehicular type unit, primarily designed as temporary living quarters for recreational, camping or travel use and which is used solely as a family or personal conveyance and in no way used for a commercial purpose. Without limiting the foregoing, recreational vehicles include:
 - i. Travel trailer; Cabin trailer; Tent trailer; Truck camper; Motor home; Park trailer; Fifth-wheel travel trailer; and Boat trailer.
- r. "Speed Bump" means an uneven patch on the highway constructed of asphalt, concrete or other material for the purpose of controlling speed;
- s. "Street" means a road, alley or other place designed and intended for or used by the general public for the passage of vehicles and pedestrians, but does not include a parking lot, whether privately or publicly owned;
- t. "Resort Village" means the Resort Village of Aquadeo, in the Province of Saskatchewan;
- u. "Traffic" means the movement of pedestrians, vehicles, or livestock upon any public highways in the Town;
- v. "Traffic sign" means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic;
- w. "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;
- x. "Vehicle" means a vehicle, trailer or semi-trailer or a motor vehicle as described to by The Traffic Safety Act;
- y. "Wheel" includes tire.
- z. Wherever in this Bylaw the expression "vehicle" or "vehicular" or "vehicular traffic" is used, it shall mean and be held to include for the purposes of this Bylaw, the driver or operator.

PART II - RESOLUTIONS, SIGNS, ETC.

1. EMERGENCY CONTROL MEASURES

- a. A Police Officer is hereby authorized to direct traffic in conformity with the provisions of this bylaw and The Traffic Safety Act.
- b. In the case of fire or other emergency or in order to expedite traffic or safeguard pedestrians or prevent accidents or meet any unforeseen conditions, a Police Officer is hereby authorized to direct traffic in such manner as he may deem necessary whether or not in conformity with the provisions of this Bylaw or The Traffic Safety Act.
- c. Every person shall comply with any traffic signal or direction of a Police Officer given pursuant to this section.

2. TEMPORARY CLOSING & PARKING

- a. Any portion of a public highway may be temporarily closed to vehicular traffic by the Mayor, RCMP, Bylaw Enforcement Officer, or by the resolution of Council of the Resort Village in order that pedestrians may have the exclusive use thereof.
- b. Notwithstanding any other provisions of this bylaw, the Bylaw Enforcement Officer or the RCMP 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.



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- c. Notwithstanding any other provisions of this bylaw, the Resort Village Manager in consultation with CAO, or the Bylaw Enforcement Officer shall have authority to temporarily prevent parking or stopping and/or prohibit traffic on any public highway or portion thereof to allow any work to be carried out by or on behalf of the Resort Village, such work to include but not restricted to the snow removal, cleaning, repairing or maintenance of such public highway.
- d. Subject to Section 8 of this Bylaw RCMP, and/or the Resort Village Manager in consultation with CAO shall have the authority to have or cause to have temporary signs, warning devices, pavement markings, barricades or barriers to be erected, placed, or painted upon the roadway, right-of-way of a public highway for the legal information of traffic on the streets, highways and lanes in the Resort Village.
- e. That all such signs, warning devices, pavement markings, painting, barricades or barriers erected, placed or painted upon any such roadway, street, lane or right-of-way of a public highway and presently existing or in existence shall be deemed to have been authorized by the Resort Village Manager in consultation with CAO.
- f. Notwithstanding any other provisions of this Bylaw the Council of the Resort Village shall have authority to designate and locate loading zones on any street in the Resort Village.

3. AUTHORIZATION OF COUNCIL

- a. Subject to formal approval from the Highway Traffic Board, the Council shall have the right at all times to:
 - i. By resolution, authorize the erection of warning and informational signs as well as what words, if any, shall be placed thereon and to abolish or remove same, and at its discretion to substitute others in place thereof, in accordance with the intent and meaning of this section and to regulate loading time in loading zones on all public highways within the Resort Village and to designate playgrounds and recreational areas.
 - ii. By Bylaw, authorize the erection of traffic signals, lights, stop and yield signs and also by Bylaw to abolish, or remove same and at its discretion to substitute others in place thereof in accordance with the intent and meaning of this section.
- b. The design, style or shape of signs authorized by Council shall conform to standards in use.

4. PROTECTION OF & DAMAGE TO SIGNS

- a. No person shall deface, injure, knock down, remove, obscure or interfere with any warning or direction signs, marker, barricade, signal or light placed, erected, or maintained by the authority of the Council, RCMP, or the Resort Village Manager in consultation with CAO under the provisions of the Bylaw.

5. USE OF SIGNS FORBIDDEN

- a. No person unless authorized by the Council, the RCMP, or the Resort Village Manager in consultation with CAO as herein provided shall erect or maintain on any public highway in the Resort Village, any sign, marker, signal or light.

6. AMENDMENT OF SCHEDULES

- a. Any or all schedules to this Bylaw may be amended or substituted from time to time by resolution of Council subject to formal approval from the Highway Traffic Board and shall form part of this bylaw.

7. SITE LINE RESTRICTIONS

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- a. The owner or occupant of a lot which abuts more than one street, at the intersection thereof shall not:
 - i. Grow or suffer to be grown or allow the growth of any tree, shrub or any plant; or
 - ii. Build or suffer to be built or maintain any fence or other structure which exceeds a height of one meter above the level of the edge of the roadway nearest and which falls within a triangle of land formed by the intersection of the two property lines on the intersecting streets and a line connecting the points on the said property lines six (6) meters from the intersection of the said lot property line.
- b. The Council may upon a complaint of a hedge, shrub or tree situated at an intersection is dangerous to traffic, by resolution order that; such hedge, shrub or tree be removed or shortened to such a height as may be deemed necessary to overcome such danger.

PART III - STOPPING & PARKING

1. PROHIBITION OF TEMPORARY PARKING

- a. No person shall park a vehicle on any public highway or portion thereof on which parking has been temporarily prohibited by Royal Canadian Mounted Police, Resort Village Manager in consultation with CAO, or the Bylaw Enforcement Officer under the provisions of Section II.2(a) to (d) of this bylaw.

2. OBSTRUCTING TRAFFIC

- a. No pedestrian or operator of a vehicle whether making deliveries from the vehicle or not shall not obstruct, interfere with or interrupt the free passage of traffic on any street, lane or driving lane of any street or sidewalk.

3. LEAVING STATIONARY POSITION

- a. The operator of a vehicle when turning out from a stationary or driving position or entering the flow of traffic at the side of a public highway or from the curb shall yield the right-of-way to all traffic.

4. STOPPING PROHIBITED IN SPECIFIED PLACES

- a. No operator of a vehicle shall stop or park such vehicle in any of the following places, except where necessary to avoid collision or conflict with other traffic or in compliance with the directions of a Police Officer or traffic sign or signal.
 - i. With its left-hand side to the boulevard;
 - ii. At any other place where traffic signs prohibit stopping during such times as stopping is so prohibited.

5. PARKING EXCEPT AS OTHERWISE PROVIDED

- a. Parking Except as Otherwise Provided in This Bylaw or as Otherwise Provided in any Other Bylaw Passed by Council Either Before or After the Coming into Effect of This Bylaw No operator of a vehicle shall park said vehicle:
 - i. Within any alley or lane;
 - ii. So as to obstruct any private driveway;
 - iii. Any place mentioned in Section III.6;
 - iv. On all streets or portion thereof, established as streets or portions thereof on which no vehicle shall be parked at any time, and the erection of the appropriate signs by the Resort Village Manager in consultation with CAO is hereby authorized;

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- v. In any private parking place or on any private property of which he is not the owner, occupant, licensee, or permit-tee, except with the consent of the owner, occupant, licensee or permit-tee;
- vi. Within three (3) meters of the entrance of any alley or lane on all Streets where parallel parking is permitted;
- vii. Within three (3) meters of a fire hydrant;
- viii. Within six (6) meters of block corners at intersections on streets where parallel parking is permitted;
- ix. That is greater manufacturer's rated carrying capacity of more than one (1) ton on any highway.

6. TRAILER OR SEMI-TRAILER PARKED

- a. No person shall leave a trailer or semi-trailer parked on a highway which is unattached from the vehicle for moving same.
- b. Trailers attached to a vehicle that has a manufacturer's rated carrying capacity of one ton or less may be permitted to park on a highway in the Resort Village of Aquadeo for a period not exceeding two (2) hours then must be moved to an off-street location for a minimum of twenty-four (24) hours.
- c. No person shall park a trailer or semi-trailer on a boulevard or the area set aside for a boulevard.
- d. Subsection (6.b) does not apply to semi-trailers or recreational vehicles.

7. PARKING OF RECREATIONAL VEHICLES

- a. An owner or operator of a recreational vehicle shall not park the recreational vehicle on a highway in the Resort Village of Aquadeo except to load and unload the vehicle for periods of less than three (3) hours. Parking for other reasons is prohibited.
- b. No owner or operator of a recreational vehicle shall park the recreational vehicle on any highway pursuant to this Subsection in such a manner as to constitute a hazard to other persons using the street.
- c. No owner or operator of a recreational vehicle shall park the recreational vehicle on a boulevard or an area set aside for a boulevard, for no more than three consecutive nights.
- d. Any recreational vehicle parked on a highway pursuant to this section shall display a current license plate.
- e. No recreational vehicle shall be inhabited while parked on a highway in the Resort Village of Aquadeo.

8. PARKING OF UNLICENSED VEHICLES

- a. No vehicle shall be parked on a public highway unless it is displaying license plates for the current year.

9. PARKING AREA

- a. In parking areas set aside for the parking of vehicles by resolution of Council, no person shall:
 - i. Park a vehicle for more than seventy-two (72) hours at any one time;
 - ii. Park a vehicle so as to block the exit of any vehicle already parked therein or in such a manner as to obstruct or interfere with the use of any remaining space therein by others for parking purposes;
 - iii. Enter or leave such parking area in any other manner than as indicated by signs posted in the said area not park a vehicle otherwise that as indicated on signs erected in the said parking area.

- iv. Vehicles used for camping or loading will not be allowed to park overnight on an public reserves in the Resort Village of Aquadeo

10. ELECTRIC CORDS

- a. No person shall lay or stretch a lead or cord capable of transmitting electrical energy from a building to a motor vehicle across or over a lane or street.

PART IV - SPEED & RULES OF THE ROAD

1. EXCESSIVE ACCELERATION

- a. No person driving a vehicle upon a parking lot, park, or a public highway shall accelerate the vehicle to such an extent so as to cause the tires to slice, spin, or throw gravel or other substances.
- b. This Bylaw shall not apply to any Police Officer while engaged in the performance of his duties, or to any other emergency vehicle in the performance of duty.
- c. In a prosecution for a violation of this Section the onus of proof shall be on the accused.

2. ENTERING AN INTERSECTION

- a. No person driving a vehicle shall knowingly enter an intersection unless there is sufficient space on the other side of the intersection to accommodate the vehicle without obstructing the passage of pedestrians or other cross traffic.

3. SPEED LIMIT

- a. A person shall not drive any vehicle on a street at a speed greater than the speed permitted.
- b. Notwithstanding Subsection (IV.3.a) 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.

4. NO SPLASHING OF PEDESTRIANS

- a. When water, mud or slush is lying on any highway, in the Resort Village of Aquadeo, the operator of every vehicle thereon shall so reduce the speed of his vehicle to avoid splashing any pedestrian.

5. U - TURNS

- a. "U - Turn" means the turning of a vehicle so as to proceed in the opposite direction.
- b. No person shall cause a vehicle to make a "U -Turn" between intersections, and at the intersection of a highway with a lane or alley in the Resort Village of Aquadeo.

6. DRIVING ON PLAYGROUNDS PARKS & GREEN SPACES

- a. No person shall park or drive a vehicle upon or across a playground, a park, or a green space over which the Resort Village or any Board appointed by the Resort Village for that purpose, has control, supervision or management except for areas designated by signs or authorized under this bylaw by the Council.
- b. The provisions of Subsection (IV.6.a) shall not apply to employees of the Resort Village or designates who are in execution of their duties.

7. VEHICLES DAMAGING HIGHWAYS

- a. No person shall propel, operate or drive any lug vehicle upon any highway within the Resort Village without first obtaining from the CAO, a permit in writing authorizing same.
- b. Nothing contained in subsection (1) 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.

PART V - ENFORCEMENT PROVISIONS



1. ALL TO COMPLY

- a. Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given there under shall commit an offence and be liable to the penalty as herein provided.
- b. Any member of the RCMP responsible for the policing of the Resort Village or any person specifically appointed by the Resort Village are hereby designated to enforce all Sections of this Bylaw.

2. OWNER OF VEHICLE

- a. The owner of a vehicle as defined by The Traffic Safety Act shall be liable for violation of any of the provisions of this Bylaw in connection with the operation of a vehicle, unless such owner proves to the satisfaction of a Provincial Magistrate or Justice of the peace trying the case, that at the time of the offence the vehicle was not being operated by him nor by any person with his consent expressed or implied.

3. SEIZURE, REMOVAL & IMPOUNDING OF VEHICLES

- a. In addition to and notwithstanding any provisions, any person appointed as a designated officer pursuant to this bylaw may remove or cause to be removed any vehicle that:
 - i. is unlawfully placed, left or kept on any street, public parking place, or other public place;
 - ii. Is found on a street, public parking place, other public place, or municipality-owned property when:
 - 1. The owner of the vehicle owes three (3) or more outstanding fines to the municipality for parking offences;
 - 2. The appeal period against the imposition and amount of said fines has expired;
 - 3. At least two (2) notices that the fines are outstanding were sent to the owner at least one (1) week apart; and
 - 4. 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 Subsection V.3.a.i to V.3.a.ii.3, has issued an order authorizing the removal and impoundment
 - 5. 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 1(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 cost the vehicle shall be released to the owner.
- c. If the fines and costs described in subsection (2) have not been paid within a period of thirty (30) days, the municipality shall have the right to recover same from the owner of the vehicle by:
 - i. Legal action in 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 fourteen (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
- e. The proceeds from such sale shall be applied firstly on the fines and costs described in subsection (2) 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 (2), 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.

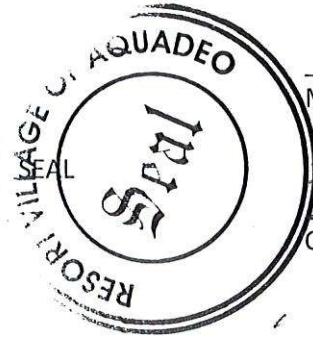
PART VI - CONTRAVENTION OF BYLAW AND COMING INTO FORCE

1. CONTRAVENTION OF BYLAW

- a. A BYLAW TO ESTABLISH CONTRAVENTION OF BYLAWS as passed by Council.

2. COMING INTO FORCE

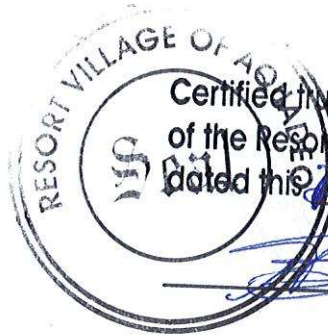
- a. This Bylaw shall come into force and effect on the day it receives third and final reading.
- b. Bylaw #01-2016 is hereby Repealed



Claudio
Mayor

[Signature]
Chief Administrative Officer

Bylaw Read a First Time on _____
Bylaw Read a Second Time on _____
Bylaw Read a Third Time and Adopted on _____



Certified true copy of Bylaw # 10/2023
of the Resort Village of Aquadeo,
dated this 28 day of July 2023.

[Signature]
Administrator