

**Traffic Bylaw
Village of Prud`homme
BYLAW NO. 147-14**

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

The Council of the Village of Prud`homme in the Province of Saskatchewan, enacts as follows:

1. That the Traffic Bylaw bylaw no 52-14 be repealed.
2. This bylaw may be referred to as the Traffic Bylaw.
3. **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 Prud`homme;
 - (e) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
 - (f) **“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*;
 - (g) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
 - (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 metal track tread;
 - (i) **“municipality”** means the Village of Prud`homme;
 - (j) **“one-way highway”** means highway ascribed to it by *The Traffic Safety Act*;

- (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 of the highway, or 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” or “drifting”** 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 bump”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- (q) **“speed zone”** means any portion of a highway within the Village of Prud`homme, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (r) **“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;
- (s) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*.

4. **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;

5. **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(e)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 7. 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(e)(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(f)(ii)(b), no person shall park a vehicle in any lane, alley, or street so as to obstruct the entrance to any lane, alley or street or to a driveway or approach leading to private premises;
(b) Notwithstanding the provisions of sub clause 4(f)(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(f)(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 8 shall angle park same.
- iv.* No person shall park a vehicle in any "No Parking" area as designated in Appendix 9 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 five (5) metres 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 Seventy two (72) 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(f)(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(f)(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 streets or avenues except for discharging cargo.
- (f) **Power Turns:** The operator of a vehicle shall not execute "power turns" on any highway in the Municipality.
- (g) **Snowmobiles:** ¹
 Under the provisions *The Snowmobile Act* and subject to clause 4(h)(ii),:
- i. It shall be lawful to operate a snowmobile between the hours of 9:00 a.m. and 10:00 p.m. on any highway.
 - ii. All snowmobile operators are not permitted on private property without permission of owner of said property;
 - iii. 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.
 - iv. All snow mobile operators crossing a public highway must come to a full stop prior to crossing and must take the most direct route across the highway.
 - v. All snowmobile operators are not permitted on public property other than highways and must obey applicable traffic signs and regulations.

- (h) **Speed:**
 - i. Subject to clause 4(i) ii no person shall operate a vehicle in the municipality at a speed greater than 40. ²
- (i) **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.
- (j) **Vehicles on Public Reserves, etc.**
 - i. No person may operate or park a vehicle on any area designated on Appendix 12 without the authorization from Administrator.
 - ii. The provisions of clause 4(f)(iv) shall not apply to maintenance or vehicles using a designated parking area.
- (k) **Bicycles:**
 - i. No person shall operate a bicycle without having at least one hand on the handle bar.
 - ii. No person shall operate a bicycle on a sidewalk.
 - iii. Bicycles shall be operated according to the rules of the road, including riding on the right side of the road, stopping at stop signals and signaling at turns.
- (l) **Loading Zones:**
 - i. No operator of a vehicle shall remain in a loading zone for periods exceeding thirty (30) minutes for the purpose of loading or unloading goods.
- (m) **All Terrain Vehicles:**
 - i. The operation of all terrain vehicles ³ is prohibited on:
 - a) the untravelled portion of the whole or any part of a highway, ditches, shoulders;
 - 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; as specified in Appendix 14.

6. **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 9, 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 shall cause to be erected and maintained at all “Speed Bump” locations as listed in Appendix 13, at a distance of approximately ten (10) metres (or at any other distance Council may determine) 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.
 - (e) Council shall cause to be erected and maintained appropriate signs indicating the locations where the use of ATV’s is prohibited.

7. **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 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(e)(i) and 4(g) of this bylaw shall be liable on summary conviction to a penalty of:

- i. clause 4(e)(i) - \$100
- ii. subsection 4(g) - \$100

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

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(e)(ii) Parking in lane \$100
- ii. Clause 4(e)(iii) Wrong parking \$100
- iii. Clause 4(e)(iv) No parking \$100
- iv. Clause 4(e)(v) Parking intersection \$100
- v. Clause 4(e)(vi) Exceeding time limit \$100
- vi. Clause 4(e)(vii) Parking not owner \$100
- vii. Clause 4(e)(viii) Explosive parking \$100
- viii. Clause 4(e)(ix) Over 5,500kg \$100
- ix. Clause 4(o)(i) ATV violation \$100

(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 30 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 15, attached to and forming part of this bylaw

(e) **Bicycle Contravention**

The penalty for the contravention of section 4(m)(i), 4(m)(ii) and 4(m)(iii) is as follows:

- (i) for the first infraction a warning will be issued
- (ii) for the second infraction or additional infractions, impounding the bicycle for 2 days; and

(f) **All Terrain Vehicle Contravention**

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

(g) **Speed, One Way Highway, 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.

8. **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(f)(vii) when requested by the owner, occupant, licensee or permit holder of said land; or
 3. is found on a street, avenue, road, 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 :
 - 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 known address; 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.
9. **COMING INTO FORCE**
This bylaw shall come into force and effect on the day it is approved by the Highway Traffic Board. ⁴

Mayor/Reeve

Administrator
(Section 8 *The Municipalities Act*)

Contact Person for Highway Traffic Board: Marian Ross, Traffic Board

Secretariat
1550 Saskatchewan Drive, Regina, Saskatchewan S4P 0E4
Tel: (306) 775-6672
Fax: (306) 775-6618

APPENDIX 1
of Bylaw No.

"STOP" STREETS [section 2(a)]

Street or Avenue	Where intersected by street or avenue
Railway	
St. Jean	Railway, St. Jean and Gov Rd
St. George	St. George and Gov Rd



APPENDIX 2
of Bylaw No.

"YIELD" STREETS [section 2(b)]

Street or Avenue	Where intersected by street or avenue
Helena Ave	St. Jean and Helena Ave.
Government	1st Ave and Government
St. Istuan	St. Istuan and Government
St. Istuan	St. Istuan and Helena



APPENDIX 3
of Bylaw No.

PERMIT FOR OPERATION OF LUG VEHICLE [section 3(e)(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 4
of Bylaw No.

"ANGLE PARKING AREAS" [section 3 (f)(3)(ii)]

Street or Avenue	From	To
Railway Avenue	Government Road	Main Street
Main Street (east side)	Railway Avenue	to end of lot of 42 Main Street
Main Street (west side)	Railway Avenue	to end of lot of 41 Main Street
Government Road (west side)	Railway Avenue	1 st Avenue
Government Road (east side)	Railway Avenue	to end of lot 42 Gov't Road

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APPENDIX 5
of Bylaw No.

"NO PARKING" AREAS - [section (f)(iv)]

Street or Avenue	From	To
Railway Avenue (south side)	Government Road	2 nd Avenue
Helena Street	North of tracks	

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APPENDIX 6
of bylaw No. 52-14

Speed Bump Locations

Street or Avenue <i>(Sample wording for location)</i>	Location 76 meter N. of _____ Ave.

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APPENDIX 7

of bylaw No.

Locations ATV's Are Prohibited

Street or Avenue	Location
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NOTE: THE ALL TERRAIN VEHICLES ACT

The purpose of The All Terrain Vehicles Act (ATV Act) is to ensure the safe and proper operation of all terrain vehicles (ATVs), both the three and four-wheeled types. The following key points are taken from the ATV Act - for a complete copy, please contact the Queen's Printer, 1871 Smith Street, Regina, Sask. S4P 3V7 (306)787-6894.

Section 6 requires that any operation of ATVs on private land must be with the consent of the owner or occupant of private or Crown land.

Section 7 states that no person shall operate an ATV on the "traveled" portion of the highway - except where a municipality has passed a bylaw describing the specific roads within their boundaries where ATVS may be operated (see section 9).

Section 9 of the ATV Act provides municipalities with authority to permit the operation of ATVs on the "traveled" portion of specific roads within its boundaries by passing a bylaw.

Section 10 states that any order made by the Highway Traffic Board to prohibit the operation of ATVs is not applicable on any river, lake or other body of water in the winter.

Section 11 provides authority for a municipality to pass a bylaw to prohibit the operation of ATVs on the "untravellled" portion of any roads within its boundaries; and also on private land, or municipal land (including hamlet or organized hamlet) or Crown land, all within its boundaries.

Section 13 states that a bylaw to prohibit the operation of ATVs as per Section 11 is enforceable only if the areas listed in the bylaw are properly marked and signed.

Section 32 provides for a fine of not more than \$1000.00 or imprisonment term of not more than 30 days for violation of any municipal bylaw or the ATV Act.

Contact person: Bruce Kush, Manager; phone: (306) 775-6599
Vehicle Registration Policy fax: (306) 775-6909
2260 - 11 Avenue, Regina, Sask. S4P 2N7

Form 2

APPENDIX 8
of Bylaw No.

NOTICE OF VIOLATION [section 5(d)(ii)]

_____ of _____

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. _____
- 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

Bylaw Enforcer

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 of 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.
