

**A BYLAW TO REGULATE THE OPERATION AND PARKING OF VEHICLES**

**BYLAW 01-2022**

**A BYLAW OF THE RURAL MUNICIPALITY OF LOON LAKE NO. 561 IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE OPERATION AND PARKING OF VEHICLES AS WELL AS SIGNAGE AND SPEED BUMPS WITHIN THE RM OF LOON LAKE, NO 561.**

**WHEREAS** in accordance with Section 12 of the *Municipalities Act* a municipality has the direction, control, and management of all streets within the municipality and all roads, other than provincial highways, within the municipality, subject to the requirements of *The Highways and Transportation Act, 1997* and the regulations made pursuant to that Act,

**WHEREAS** in accordance with Section 8(2) A municipality has the power to make bylaws respecting the enforcement of bylaws made pursuant to this or any other Act, including any or all of the following:

- (j) remedying contraventions of bylaws, including providing for moving, seizing, impounding, immobilizing, selling, destroying, or otherwise dealing with or disposing of any type of real or personal property, including animals;
- (k) subject to section 371.1, providing for the seizing, impounding, immobilizing, selling or otherwise dealing with or disposing of vehicles to enforce and collect:
- (i) fines for parking offences, including any charge the municipality may impose for late payment of fines; and
- (ii) costs incurred by the municipality in enforcing and collecting fines for parking offences.

**WHEREAS** the control of municipal streets and roads includes road allowances,

**WHEREAS** it is necessary to impose regulation for the use of municipal roads for purposes of public safety,

**THEREFORE**, the Council of the Rural Municipality of Loon Lake No. 561 in the Province of Saskatchewan enacts as follows:

**1. Definitions - In this bylaw:**

- (a) **Administrator** – the Administrator of the RM of Loon Lake, No. 561
- (b) **Authorized Person** - An employee of the RM of Loon Lake No. 561 authorized to perform a prescribed task or a peace officer.
- (c) **Council** – The council for the RM of Loon Lake No. 561
- (d) **Definitions** of words in this bylaw are defined in the Interpretations in the *Municipalities Act*, AND *The Highways and Transportation Act 1997*
- (e) **Municipal Road** – means a road allowance, road, street, or public highway as defined in *The Highways and Transportation Act, 1997*, that is under the direction, control, and management of the municipality, and includes the shoulder of the roadway and/or any road within the RM of Loon Lake, No. 561 not designated as a provincial highway in accordance with *The Highways and Transportation Act 1997*
- (f) **Bylaw Enforcement Officer** – In addition to the Administrator, a person authorized by the RM of Loon Lake to enforce this Bylaw.
- (g) **Lug Vehicle** – any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires there of or having metal track tread.
- (h) **Park** - the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while engaged in loading or unloading, or in obedience to traffic regulations, traffic signs or signals, or the direction of a traffic officer, Bylaw Enforcement Officer or any other authorized person by the RM.
- (i) **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 potentially causing damage to the driving surface of the road.



(i) **Road Allowance** - land designated by the crown for the construction of a road if the need arose. They are controlled by the RM of Loon Lake within the RM of Loon Lake.

(j) **RM** - the Rural Municipality of Loon Lake No. 561.

### 1. Rules of the Road and Driving

1.1. In all zoning districts in the RM a person may operate a vehicle in either direction on all highways.

1.2. A Bylaw Enforcement Officer, or other Authorized Person is hereby authorized to direct traffic in conformity with this Bylaw and *The Traffic Safety Act*.

1.3. Notwithstanding any other provisions of this Bylaw, in the event of a fire, traffic accident, or other emergency a Bylaw Enforcement Officer or Authorized Person, or a firefighter, are hereby authorized in the course of the performance of their public duties to direct or prohibit traffic on any highway in any manner they reasonably deem necessary that does not contravene The Traffic Safety Act, in order to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether or not in conformity with this Bylaw.

1.3.1. Every person shall comply with a direction or signal of a Bylaw Enforcement Officer, an Authorized Person, or a fire fighter given under authority of this section.

### 2. Speeds

2.1. In the Agriculture district, except as set out elsewhere herein or otherwise posted, all vehicles shall operate at a speed no greater than eighty (80) kilometres per hour.

2.2. Notwithstanding Section 2.1, in the Lakeshore Development district, Country Residential Districts, except as set out elsewhere herein, all vehicles shall operate at a speed no greater than thirty (30) kilometres per hour.

2.3. Speed bumps may only be placed within the Lakeshore Development District if approved by Council, and shall only be placed in locations approved by Council and;

2.3.1. Approved signage warning of a speed bump must be placed on each side of the road in each direction of traffic at a distance of two (2) metres from the speed bump.

### 3. Parking

3.1. In the Agriculture district and Country Residential district, the parking of vehicles is not permitted on any municipal road or road allowance.

3.2. Notwithstanding Section 3.1, In the Lakeshore Development district, the following applies:

3.2.1. No vehicle shall be parked on any road so as to obstruct the entrance to any lane or driveway or approach leading to any private property.

3.2.2. No vehicle shall be parked on municipal reserve unless such area is designated for parking.

3.2.3. Notwithstanding Section 3.2.1 a vehicle may be parked on any road for the purpose of loading or unloading cargo, provided no such vehicle shall be parked for a period exceeding sixty (60) minutes at one time, unless written permission has been given by the Administrator upon request.

3.2.4. No vehicles shall be parked within five (5) metres of an intersection (including parking on road allowances).

3.2.5. No vehicle, trailers, ATV or travel trailer shall be parked on any road allowance at one place for any period of time exceeding forty-eight (48) consecutive hours.

3.2.6. 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.



3.2.7. Subject to Section 3.2.7, 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 thirty (30) metres from the building in the RM used or intended for use, in whole or in part, as a place of dwelling or place of public assembly.

3.2.8. Nothing in Section 3.2.7 shall be deemed to restrict the parking of any such vehicle for such period of time as may be necessary to load or unload cargo.

#### 4. Signage, Stop and Yield

4.1. No person shall, except where authorized by resolution of Council, or when duly authorized by law, erect upon or immediately adjacent to any municipal road or road allowances any sign, marker, signal or light or any advertising sign or device.

4.2. The RM or authorized person may remove, without notice any such prohibited sign marker, signal or light or any advertising sign or device as per Section 4.1 of this Bylaw.

4.3. No person shall deface damage, destroy, or remove any sign or marker erected pursuant to this Bylaw.

4.4. The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "Stop" sign or a "Yield" sign erected and maintained in accordance with this Bylaw.

4.5. Council shall cause to be erected and maintained at all necessary intersections as deemed by the RM, at approximately three (3) metres from point of intersection, an appropriate "Yield" sign, so placed to face the traffic approaching the intersection.

4.6. Council shall cause to be erected and maintained necessary intersections as deemed by the RM, at approximately three (3) metres from point of intersection, an appropriate "Stop" sign, so placed to face the traffic approaching the intersection.

#### 5. Prohibitions, No Person shall:

5.1. Operate a vehicle on any road if that vehicle may cause damage to the road.

5.2. Operate an overweight vehicle or lug vehicle on any road without an Overweight Vehicle Permit.

5.3. Obstruct, interfere with, or interrupt the free passage of traffic on any highway.

5.4. Cause a vehicle to cross or stop a vehicle on any fire equipment, including water hose, which is in use or intended to be used by members of the Fire Department;

5.5. Tow a vehicle on a street in an unsafe manner or with an unsafe tow rope, tow chain or another connecting device.

5.6. Place or allow to be placed an electrical cord, hose, chain, or other similar obstruction over or across any municipal road.

5.7. Execute "power turns" on any municipal road.

5.8. Dispose of litter, from a vehicle or otherwise, on any portion of any municipal road, municipal road allowance or adjacent to any municipal road and/or municipal road allowance.

5.9. Operate any vehicle transporting garbage, refuse, or rubbish on any road unless the load is completely enclosed or covered with a tarpaulin or secured in such a manner that it shall be impossible for any part of the load to escape the confines of the vehicle or trailer.

#### 6. Enforcement and Offences

6.1. Any person who contravenes any provision of this Bylaw is guilty of an offence.

6.2. Any person stopped, detained or otherwise pursuant to any Section or Subsection of this Bylaw shall be required to give his or her name, date of birth, address and at minimum one (1) means of contact and information required for that contact, on request of the Bylaw Enforcement Officer, so long as they are readily identifiable as a Bylaw Enforcement Officer and is in the lawful execution of his or her duties and responsibilities.

6.3. Every person who provides false information to the Bylaw Officer is guilty of an offence.





6.4. Unless otherwise provided in this Bylaw, and where the option exists a Bylaw Enforcement Officer may issue a Warning or a Notice of Violation with a voluntary payment option for breach of any provisions of this Bylaw, as set out in Schedule "C" of this bylaw.

6.5. Any person who is in violation of this bylaw may, upon being served with a Notice of Violation by a Bylaw Enforcement Officer, pay a penalty as set out in Schedule "C" within fourteen (14) days of the offense payable to the Rural Municipality of Loon Lake, No. 561 and upon payment as so provided, that person shall not be liable to prosecution of the offence.

6.6. In accordance with *The Municipalities Act*, the RM shall take action at the expense of the property owner to remedy a contravention, if any person/property owner who is found in violation of this bylaw and does not pay the volunteer fine, as per Schedule "C", within 14 days of receiving a notice of violation, actions may or may not include towing and storing a vehicle. All costs associated with actions taken will be borne solely by the individual receiving the violation or property owner.

6.7. Notwithstanding Section 6.4 and Section 6.5 of this Bylaw, and in accordance with the General Penalty Bylaw, any person who contravenes any of the provisions of this Bylaw is guilty of an offence and liable on summary conviction to a penalty of not less than \$100 and not more than:

- a) \$2,000 in the case of an individual; and
- b) \$5,000 in the case of a corporation.

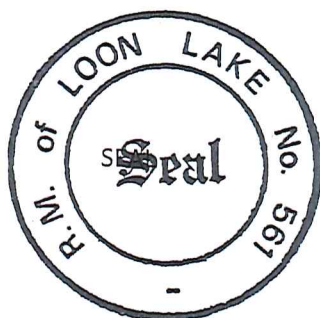
7. Coming into Force


7.1. This Bylaw shall come into force and take effect on the final day of passing by council.

READ A FIRST TIME this 11<sup>th</sup> day of May 2022

READ A SECOND TIME this 11<sup>th</sup> day of May 2022

READ A THIRD TIME AND ADOPTED the 11<sup>th</sup> day of May 2022

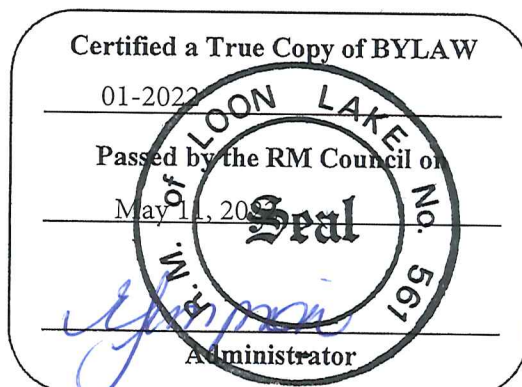


  
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Reeve

  
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Administrator



### Schedule "C"

Section	Fine \$	Volunteer Fine \$	Description
1.3.1	200	100	Failing to comply with the direction of a Bylaw Officer/Firefighter/Authorized Person.
3.1	100	50	Parked vehicle on a road in the Agriculture District
3.2.1	100	50	Parked Vehicle obstructing an entrance to private property
3.2.2	100	50	Unlawfully parked on Municipal Reserve
3.2.3	100	50	Vehicle parked for longer than allowable time to unload or load cargo
3.2.5	100	50	Parking within 5m of intersection
3.2.6	100	50	Vehicle parked for longer than 24 consecutive hrs
3.2.7	100	50	Unlawfully parked on private property
5.1	500	250	Operating a vehicle that may cause damage to the road
5.2	200	100	Operating a lug or overweight vehicle without a permit
5.3	200	100	Obstructing, interrupting, or interfering with traffic on a road
5.4	200	100	Interfering with fire equipment
5.5	200	100	Towing in an unsafe manner
5.6	200	100	Unlawfully placed an obstruction across the road
5.9	100	50	Littering from a vehicle
5.10	200	100	Transporting unsecured garbage/rubbish