

Traffic Bylaw

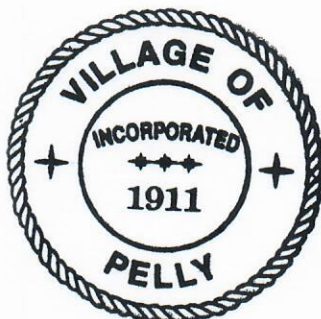
Village of Pelly

BYLAW NO. 2-2021

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

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

1. This bylaw may be referred to as the Traffic Bylaw.
2. **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 Pelly;
 - (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 Pelly;
 - (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, 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.



Certified a true copy of
Bylaw No. 2-2021 adopted
by resolution of council
on 8th September, 2021
Reanne Kwasney
Administrator

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*.

3. **SCOPE**

- (a) **"Stop" Streets:** highways listed in Appendix 1;
- (b) **"Yield" Streets:** highways listed in Appendix 2;
- (c) **"No U-Turn" Intersections:** intersections of the highways, approached from all four (4) directions listed in Appendix 3;
- (d) **"One-Way" Streets:** highways listed in Appendix 4;
- (e) **"Loading Zones":** highway locations listed in Appendix 5;

4. **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) **School Bus Flashing Lights:**
 - i. Subject to clause 4(d)(ii), the operator of a school bus when operating a school bus on public highways in the municipality shall not activate the safety lights.
 - ii. Provisions of clause 4(d)(i) shall not apply at the locations listed in Appendix 6
- (e) **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

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 twenty-four (24) 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 designated in Appendix 10.

(g) **Power Turns:** The operator of a vehicle shall not execute "power turns" on any highway in the Municipality.

(h) **Snowmobiles:**

Under the provisions of *The Snowmobile Act* and subject to clause 4(h)(ii),:

- i. it shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 11:00 p.m. on any highway except Provincial Highway Number 49 within the limits of the municipality.
- ii. Notwithstanding clause 4(h)(i) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Highway Number 49...

Saskatchewan Snowmobile Association, who will forward any applications that they deem as requiring a permit to the Department of Highways and Transportation.

- iv. it shall be lawful to operate snowmobiles in the municipality at hours other than those specified in (i) for the purpose of leaving the municipality by the most direct route or returning to a residence by the most direct route.
- v. all snowmobile operators shall yield the right-of-way to vehicles on Highway No. 49 before crossing the highway.
- vi. any snowmobile crossing a public highway must come to a full stop prior to crossing and must take the most direct route across the highway.
- vii. any snowmobile entering onto a public highway shall do so from an established public highway approach.

(i) Speed:

- i. Subject to clause 4(i) ii no person shall operate a vehicle in the municipality at a speed greater than forty (40) km/h.
- ii. No person shall operate a vehicle at a speed greater than forty (40) km per hour in the speed zones as set out in Appendix 11.
- iii. No person shall operate a vehicle at a speed greater than forty (30) km per hour in the speed zones as set out in Appendix 11.
- iv.

(j) 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.
- ii. No person shall cause a vehicle to make a U-Turn at the intersection designated as a "No U-Turn" intersection as listed in Appendix 3. This shall apply to all traffic approaching and facing a "No U-Turn" sign erected and maintained in accordance with the provisions of subsection 5(c).

(k) Vehicles on Public Reserves, etc.

- i. No person may operate or park a vehicle on any area designated on Appendix 12.
- ii. The provisions of clause 4(f)(iv) shall not apply to maintenance or vehicles using a designated parking area.

(l) 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.

(m) One-way highway:

- i. Except as otherwise provided herein a person may operate a vehicle in either direction on all highways within the municipality.
- ii.

- ii. No operator of a vehicle shall remain in a loading zone for periods exceeding ten (10) minutes for the purpose of loading or unloading goods.

(o) All Terrain Vehicles:

Under the provisions of the All Terrain Vehicles Act, and subject to clause 4(o)(ii),:

- i. It shall be lawful to operate an all terrain vehicle between the hours of 7:00a.m. and 11:00p.m. on any highway within the limits of the municipality.
- ii. It shall be lawful to operate all terrain vehicles in the municipality at hours other than those specified in (i) for the purpose of leaving the municipality by the most direct route or returning to a residence by the most direct route.

(p) Heavy Vehicle Route:

- i) No person shall operate a vehicle or combination of vehicles with a manufacturer's rated capacity in excess of 5500 kg of GVW, except on a highway within the municipality designated as a Heavy Vehicle Route as listed in Appendix 16.
- ii) Subsection (i) shall not apply to vehicles making a delivery on any highway in the municipality provided that the operator of the vehicle uses the most direct route from and to the heavy vehicle route as listed in Appendix 16.

5. 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 U-Turn" intersections as listed in Appendix 3, at a distance of approximately three (3) metres from point of intersection, an appropriate sign prohibiting U-Turns, so placed to face the traffic approaching the intersection.
- (d) 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.
- (e) 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) 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.
- (f) Council shall cause to be erected and maintained appropriate signs indicating the locations where the use of ATV's is prohibited, as set out in Appendix 14.

- ii. subsection 4(g) - \$100.00
- (c) **Parking, U-Turns, Public Reserve, Loading Zones:**
A person who contravenes any of the provisions 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 shall be liable to a penalty of \$100.00

(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 3 business 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(1)(i) and 4(1)(ii) is as follows:

- (i) for the first infraction impounding the bicycle for 3 days; and
- (ii) for the second or additional infractions, impounding the bicycle for 7 days.

(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.

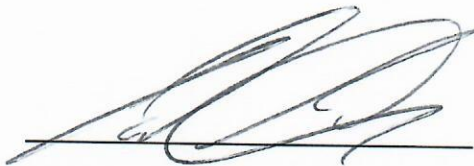
7. **IMPOUNDING**

- (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, 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

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 appearing on the vehicle registration; 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.
8. **REPEAL**
Bylaw No. 9-95 of the Village of Pelly is hereby repealed.
9. **COMING INTO FORCE**
This bylaw shall come into force and effect on the day it is approved by the Highway Traffic Board.

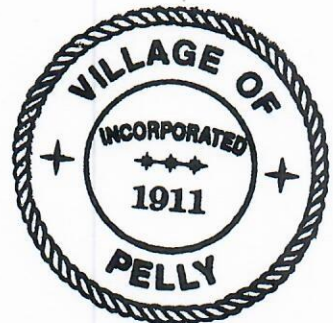


Mayor/Reeve



Administrator

(Section 8 *The Municipalities Act*)



APPENDIX 1
of Bylaw No.2-2008

"STOP" STREETS [section 2(a)]

Street or Avenue	Where intersected by street or avenue
Railway Avenue	Main Street
First Avenue South	Main Street
Second Avenue south	Main Street
Fort Pelly Road	Main Street
Third Avenue South	Main Street
Main Street	Highway No. 49
Fort Livingstone Road	Highway No. 49
Second Street West	Highway No. 49
Third Street East	Highway No. 49
C.N.R. Right of Way	North approach to railway crossing
C.N.R. Right of Way	South approach to railway crossing

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APPENDIX 2
of Bylaw No.2-2008

"YIELD" STREETS [section 2(b)]

Street or Avenue	Where intersected by street or avenue
Second Street West	Road Allowance
Second Street West	Railway Avenue
Second Street West	First Avenue South
First Avenue South	Fort Livingstone Road
First Avenue South	Main Street
Second Avenue South	Second Street East
Road Allowance	Main Street
Road Allowance	Fort Livingstone Road
Second Street East	Road Allowance
Railway Avenue	Fort Livingstone Road
Winnipeg Avenue	Fort Livingstone Road
Franklin Avenue	Fort Livingstone Road
Strathcona Avenue	Fort Livingstone Road
Third Avenue South	Fort Livingstone Road
Third Avenue South	Fort Livingstone Road
First Street West	Second Street East
First Street West	Railway Avenue
First Street West	First Avenue South
Fort Pelly Road	Second Avenue South
First Avenue North	Second Street East
Porcupine Street	Porcupine Street
Division Avenue	Railway Avenue North
Third Avenue South	Fort Livingstone Road
Strathcona Avenue	Second Street West
Franklin Avenue	Katz Street
	Katz Street

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APPENDIX 3
of Bylaw No.2-2008

"NO U-TURN" INTERSECTIONS [section 2(c)]

The intersections of:

Main Street	and	First Avenue South
Main Street	and	Second Avenue South

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APPENDIX 4
of Bylaw No. 2-2008

ONE WAY HIGHWAY [section 2(d)]

Not Applicable

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APPENDIX 5
of Bylaw No. 2-2008

LOADING ZONES [section 2(c)]

Not Applicable

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APPENDIX 6
of Bylaw No.2-2008

SCHOOL BUS FLASHING LIGHTS [section 3(d)]

Second Street East From First Avenue South To Railway Avenue

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APPENDIX 7
of Bylaw No.2-2008

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

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APPENDIX 8
of Bylaw No.2-2008

"ANGLE PARKING AREAS" [section 4 (f)(iii)(b)]

Main Street	From	Railway Avenue	To	Second Avenue South
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APPENDIX 9
of Bylaw No.2-2008

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

Main Street	In front of Fire Hall Lots 5 & 6 Blk 1 Pln Y4080
Main Street	In front of Drop – In Centre Lot 5 Blk 2 Pln Y4080 Account of place of Assembly

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APPENDIX 10
of Bylaw No.2-2008

"NO PARKING" AREAS (Heavy Vehicles) - [section (f)(ix)]

Not Applicable

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APPENDIX 11
of Bylaw No.2-2008

"SPEED ZONES - SCHOOLS - PLAYGROUND [section 3(i)(ii)(iii)]

60 KM / HR

Second Street East	From	Second Avenue South	To	Railway Avenue
First Avenue South	From	First Street West	To	Fort Livingstone Road
Fort Livingstone Road	From	First Avenue South	To	Third Avenue South
Second Street West	From	Third Avenue South	To	Division Avenue

30 KM / HR

Fort Livingstone Road	From	Highway 49	To	Grid# 661
1 Avenue South	From	Fort Livingstone Road	To	Main Street

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APPENDIX 12
of Bylaw No. 2-2008

"PUBLIC RESERVES" etc. [section 3(k)]

Not Applicable

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APPENDIX 13
of Bylaw No. 2-2008

Speed Bump Locations

Not Applicable

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APPENDIX 14
of Bylaw No. 2-2008

Locations ATV's Are Prohibited

Not Applicable

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APPENDIX 16
of Bylaw No. 2-2008

Truck Route

Fort Livingstone Road

To

Railway Avenue

Second Street East

To

Railway Avenue

APPENDIX 15
of Bylaw No.2-2008

Village of Pelly

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
- Dog
- Other

Bylaw No. _____
Bylaw No. _____
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

Special Constable

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is \$100.00 or less, you may make voluntary payment of the above penalty at the municipal office of the Village of Pelly during regular office hours or by mail within **3 business** 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.