

Resort Village of Candle Lake Bylaw 12 of 2017

A Bylaw Respecting the Operation of Vehicles

A BYLAW TO BE ALSO KNOWN AS THE TRAFFIC BYLAW

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

INTERPRETATION:

1. In this Bylaw:
 - a. **Administrator** means the administrator of the Resort Village of Candle Lake as defined in *The Municipalities Act* for the Province of Saskatchewan;
 - b. **Bicycle** means a pedal bicycle with two or more wheels;
 - c. **Boulevard** is the portion of a public roadway either marked by a curb of concrete, ditch, earth or otherwise that divides the vehicular portion of a public roadway and the property line;
 - d. **Bylaw Enforcement Officer** means the person appointed by the Council of the Resort Village of Candle Lake to enforce the municipal bylaws;
 - e. **Candle Lake Emergency Services** a member of the Candle Lake Volunteer Fire Department or First Responders as appointed by Council;
 - f. **Council** means the Council of the Resort Village of Candle Lake as defined in *the Municipalities Act* for the Province of Saskatchewan;
 - g. **Curb** means the line, concrete, asphalt, earth or otherwise; that divides the vehicular portion of a public roadway from a ditch, sidewalk, unused portion of the public roadway, or other properties;
 - h. **Heavy Vehicle** shall be defined as a vehicle loaded or unloaded, having more than two (2) axles, including those of a trailer which it has in tow, whose total licensed gross vehicle weight exceeds twelve thousand five hundred (12,500) kilograms (27,550 pounds) or whose length exceeds 11 meters (36 feet) excluding public transportation and recreational vehicles;

- i. **Intersection** means the area embraced within the prolongation of a lateral curb line, if none exists, then the lateral boundary lines of two or more streets or public roadways which join one another at an angle whether or not one such street or public roadway crosses the other;
- j. **Lane** means a public roadway which primarily gives access to the rear of a property;
- k. **Lane-Crossing** means the prolongation of the lateral boundary lines of the adjacent sidewalks;
- l. **Machinery** means all farming equipment, including tractors, grant trucks etc.
- m. **Owner** means the person whose name a motor vehicle is registered under *The Highways and Transportation Act, 1997*, or amendments thereto;
- n. **Parade** means a group of pedestrians numbering fifty (50) or more marching or walking along a public roadway, and/or a group of vehicles numbering ten (10) or more proceeding on a public roadway under a common leadership, but does not include funeral processions;
- o. **Parking Stall** means the area along a public roadway indicating the space in which a vehicle may be parked;
- p. **Pedestrian** means a person travelling by foot, wheelchair, carriage, sled or hand pulled cart;
- q. **Police Officer** means a member of the Royal Canadian Mounted Police or Highway Traffic Officer;
- r. **Public Works** means any member of the public works staff of the Resort Village of Candle Lake;
- s. **Public Works Supervisor** means the Supervisor of public works appointed by the Administrator of the Resort Village of Candle Lake;
- t. **Sidewalk** means the portion of a public roadway, whether marked by elevated concrete or other material, intended for the passage of pedestrians;
- u. **Resort Village** means the Resort Village of Candle Lake (RVCL);

- v. **U-turn** means turning a vehicle so as to cause it to proceed in the opposite direction from that in which it was proceeding immediately prior to such turn; and
- w. All other terms shall be as defined in *The Highways and Transportation Act, 1997* for the Province of Saskatchewan, and including all amendments.

SIGNS, ETC.

- 2.
 - a. Expect when otherwise directed by a police officer or public works person, drivers of vehicles and pedestrians shall obey the instructions on traffic signs, markers signals or lights;
 - b. No person shall deface, damage, remove or destroy any traffic sign, marker, signal or lights;
 - c. No person shall erect upon or immediately adjacent to any public roadway any permanent sign, marker, signal or light without consent from the Resort Village of Candle Lake;
 - d. A bylaw officer or member of the public works of the Resort Village of Candle Lake are empowered to remove any sign, marker, signal or light which is installed without proper permission granted;
 - e. A person who violates any provision of this section is guilty of an offence and liable on summary conviction to a fine of not less than \$100 and not more than \$2,500 and shall be liable for all costs or removal of an unauthorized sign, marker, signal or light or for the replacement of any damaged or defaced sign, marker, signal or light.
- 3. Council may by resolution temporarily close any public roadway or portion thereof for the purpose of repairs, maintenance, parades, diverting traffic for any other lawful purpose.
 - a. Any police officer, bylaw officer and/or member of public works is empowered to temporarily close any public roadway or portion thereof for the purpose of traffic control, diverting traffic, parades or for emergency purposes;
 - b. A police officer is hereby authorized to direct traffic in conformity of the provisions of this bylaw and *The Highways and Transportation Act, 1997* as amended from time to time.
 - c. 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 or member of the Candle Lake Emergency Services is hereby authorized to direct traffic in such a manner as they may deem necessary

whether or not in conformity with the conditions of this bylaw and *The Highways and Transportation Act, 1997* as amended from time to time;

- d. Every person shall comply with any traffic signal or direction of a police officer, bylaw officer, public works member and emergency services member given pursuant to this section.
4. No person shall drive a vehicle through or enter upon a public roadway, or portion therefore, that is barricaded or indicated by sign as being closed to traffic;
5. The administrator or public works manager are authorized to order the removal or trimming of any hedge, shrub or tree situated at an intersection that is dangerous to traffic as may be deemed necessary to overcome such danger.
6. The Administrator shall perform such duties and exercise such powers of the Council as are imposed on him or her by Council.

PEDESTRIANS:

7. No person shall obstruct the free passage of vehicles or pedestrians;
8. No person shall race on a public roadway or sidewalk or shall crowd or jostle other pedestrians so as to cause discomfort or confusion.
9. No person crossing a public roadway at a place other than a marked or unmarked pedestrian crossing shall yield the right of way to vehicles.
10. No parade shall be held without first obtaining permission from the Council;
11. Any person who takes place in a parade, for which a permit has not been issued, is guilty of an offence and liable to a penalty as set out in the general penalty section of this bylaw.

BICYCLES:

12. No person shall ride a bicycle without due care and attention or without reasonable consideration for other persons using the public roadway;
13. No person shall ride a bicycle on the left side of two other persons riding bicycles abreast on that street except for the purpose of passing;
14. A bicycle is considered a vehicle and the operator has the same rights and responsibilities as any other vehicle;

15. Any police officer or bylaw officer may seize, without warrant, any bicycle that is being operated or parked in violation with Sections 12 or 13 of this bylaw and may impound it for a period not exceeding fourteen (14) days.

STOPPING AND PARKING:

16. The Administrator or Public Works Supervisor shall cause to be erected and maintained at each end of a public roadway or portion thereof signs indicating no parking, limitation to length of time, or restriction to certain hours for parking. Where it is considered more expedient, these signs shall be replaced by the use of a solid yellow line or marker painted across the asphalt surface of the roadway or portion thereof on which parking is prohibited;
17. No person driving a motor or other vehicle shall park the vehicle in any place where parking is prohibited by sign or marker; and where such sign or marker restricts parking to certain hours in any place or the length of time a vehicle can park in any place.
18. No person driving a motor or other vehicle shall park the vehicle in any of the following manners or they will be subject to a fine:
 - a. So as to restrict or block traffic on a roadway, lane or alley;
 - b. In front of a private driveway or entrance;
 - c. Within 5 meters of an intersection of another public roadway, but not a lane or alley;
 - d. Within 1.5 meters of an intersection by a lane or alley;
 - e. Within 3 meters of the driveway entrance to the fire station unless they are a member of the Candle Lake Emergency Services;
 - f. At one public place for any period of time exceeding 48 consecutive hours;
 - g. On a public roadway to display the vehicle for sale;
 - h. On a public roadway to repair, maintain or clean;
 - i. Parked on the opposite side of the street in the opposite direction of travel.
19. No vehicle shall stand backed up on the curb or for more than $\frac{1}{2}$ an hour, except when actually loading or unloading; but no vehicle shall stand so backed up if it interferes or interrupts the passage of other vehicles or pedestrians;
20. Every driver of a vehicle shall draw up to the right hand curb before stopping unless such stop is necessary to avoid a collision or for the purpose of immediately reversing the vehicle to place it at the curb. Provided that this section shall not apply to the drivers of vehicles waiting for clearance of vehicular or pedestrian traffic or complying with traffic signs, signals or lights;
21. An operator of a vehicle, in turning out from a stationary position at the side of a public roadway or from the curb, shall yield the right of way to all traffic;

22. No person shall park machinery or other equipment or place any material or building on a public roadway, sidewalk or boulevard;
23. No person shall park a vehicle, heavy vehicle, machinery or other equipment on private property unless they have received consent from the property owner , occupant or lessee of that property;
24. No person driving a motorized vehicle or other vehicle shall park the vehicle along Main Street, unless in one of the two the marked parking lots;
25. No person driving a motorized vehicle shall stop or park along the walking path on the south side of Main Street;
26. The Public Works Supervisor may temporarily prohibit parking on any street by placing “No Parking” signs on any such street or portion thereof;
27. No person shall park in violation of “No Parking” signs;
28. In addition to other penalty as set by this bylaw, any vehicle parked in violation of any such “No Parking” sign or parked in contravention of this bylaw may be towed away at the expense of the owner thereof.
29. Sections 26, 27 and 28 do not apply to Emergency Services Members when engaging in the performance of their duties;
30. The Public Works Manager shall have the right at times to authorize the issuance of special permission dealing with parking or loading of vehicles on a temporary basis;

SPEED AND RULES OF THE ROAD:

31. No person shall operate a motorized vehicle upon any public roadway within the Resort Village at a speed in excess of forty (40) kilometers per hour unless a different speed is indicated on that roadway or portion of roadway;
32. No person shall operate a motorized vehicle upon any public roadway within the Resort Village at any speed in excess of what is posted on that roadway or portion of roadway;
33. No person, by the use of any mechanical device on a motor vehicle, shall, while operating a motor vehicle, make any unusual or unnecessary or unreasonable noise on any public roadway;

34. No person shall operate a motor vehicle on any public roadway in such a manner as to cause the wheels of the motor vehicle to spin whereby road surface particles may be thrown by the said wheels of the motor vehicle causing a nuisance;
35. No person shall drive a vehicle, snowmobile or ATV in the cemetery, park area, playgrounds or golf course except those engaged in the regular maintenance of the grounds and the buildings thereon.
36. No person driving a motor vehicle on a public roadway shall cause a vehicle to travel in reverse in a dangerous manner or for longer than is necessary to enter or leave a parking stall;
37. No person shall make a U-turn at an intersection where a sign has been erected prohibiting U-turns;
38. No person shall make a U-turn on a public roadway other than at an intersection;
39. Anyone making a U-turn where a U-turn is permitted shall yield to the right-of-way to all other vehicles in the intersection or approaching the intersection;
40. No person driving a vehicle shall drive over a fire hose unless so instructed by a police officer or Emergency Services member;
41. No person shall occupy any public roadway in such a manner that it is likely to interfere³ with, interrupt or impede traffic, excepting as herein otherwise provided;
42. Every driver of a vehicle shall, in driving such vehicle, use every reasonable precaution for the purpose of preventing pedestrians and other persons from being splashed by reason of driving of said vehicle;
43. No person shall drive a , ATV, Golf Cart, or any motor vehicle of a similar nature on any public roadway except at the extreme right-hand edge of such public roadway; and in so driving, shall yield right-of-way to all other vehicular and pedestrian traffic at all intersections;
44. Notwithstanding the provisions contained in *The Snowmobile Act*, as amended from time to time, snowmobiles shall only be permitted on public and numbered provincial roadways only for the purposes of crossing the said streets or roadways in a perpendicular manner;
45. No person shall drive or operate a snowmobile on private property except with the consent of the owner or occupant of the said property; or on the playgrounds and park areas except those engaged in regular maintenance of the grounds or the buildings thereon.

46. Golf carts are prohibited on roadways unless they are being moved between their place of storage and the golf course or are crossing roads at the golf course while playing golf. Golf carts are not to be used for personal conveyance.
47. No one with a valid driver's license is permitted to operate a golf course on roadways at any time.

VEHICLES ROUTES, WEIGHTS AND DIMENSIONS:

48. In accordance with Bylaw 6-2008, the Resort Village may provide for such times and periods of time in any year as it deems necessary for the protection of any public roadway or portion thereof, or for the avoidance of nuisance conditions in an area, prohibit the operation of vehicles or impose restrictions to the class and gross weight of vehicles that may be transmitted over and upon the public roadway or portion thereof without a permit issued pursuant to bylaw 6-2008;
49. The provisions of *The Highways and Transportation Act, 1997* for the Province of Saskatchewan and regulations thereto respecting the maximum dimensions and weight of vehicles shall apply to this bylaw.
50. Any person found guilty of the violation of Bylaw 6-2008 shall be liable to a penalty as set out in Section 38 of *The Highways and Transportation Act, 1997* and the regulations issued pursuant to *The Highways and Transportation Act, 1997*;
51. No person shall drive, on an of the public roadways, any vehicle having flanges or cleats or crawler type tread, nor shall any heave machinery or tractor of such weight or so equipped as might cause damage to public roadways, be moved, conveyed or operated on the public roadways until a permit to do so has been first obtained from the Public Works Manager. Such permit may be granted on application in writing, in which the route to be taken, the weight and nature of the vehicle or machinery and such other information as the applicant shall therein agree to pay all the damages caused to the public roadways as a result of the operation and conveyance or movement of such vehicle or machinery and shall forthwith furnish the Resort Village such security for such amounts as shall be required by the Public Works Manager;
52. Any person who causes damage to any roadways in the Resort Village of Candle Lake shall be liable for costs of repairing the same;
53. Heavy vehicles will be permitted to travel in any back alley or on any other roadway providing it is the most direct route to make a delivery;
54. Heavy vehicles are not permitted to be parked on streets or avenues in residential areas.

55. Vehicles and equipment operated by the Resort Village of Candle Lake or their contractors shall be exempt from the provision of this bylaw while in the course of performing their duties or traveling to and from the performance of their duties;

ENFORCEMENT PROVISIONS:

56. A police officer may, without a warrant, seize any vehicle or snowmobile that in their option is:
- a. Being operated in violation of this Bylaw;
 - b. Parked contrary to the provision of this Bylaw; and may retain it in his possession or stored in a suitable place until the expenses of the seizure and retention or storage are paid;
 - c. Where a vehicle is seized under section 56, no person shall take it out of the possession of the officer making the seizure or remove it from the place in which it has been stored without the written consent of a police officer;
 - d. The tow and storage expenses incurred are deemed to be a lien upon the vehicle seized and if the owner of the vehicle cannot be found, after reasonable inquiry, or if the owner fails to pay the expenses within fourteen (14) days after the day on which a notice requiring them to do so has been served on them by registered mail, the vehicle may be sold for the purpose of recovering the expenses pursuant to sections 13, 14 and 15 of *The Garage Keepers Act*.
 - e. A police officer or bylaw officer, at their discretion, may instead of issuing a ticket of violation, issue a voluntary penalty ticket.
 - f. If the voluntary ticket is not paid within the allotted time stated on the ticket, The Administrator shall proceed with prosecution by way of *The Summary Offences Procedure Act, 1990* for the Province of Saskatchewan.

PENALTIES:

57. A person, to whom a voluntary penalty ticket has been issued pursuant to this Bylaw, may pay the Administrator within seven (7) days of the issuance of the said voluntary ticket in the amount of penalty as set out in Schedule "A".
58. Payment of the voluntary penalty within seven (7) days after issuance of the ticket, shall bar any further court proceedings for the specified offences shown on the said voluntary penalty ticket.
59. Any person found guilty of the violation of the speed limits set out in Sections 31 and 32 of this Bylaw shall, on summary conviction, be subject to the penalties set out in *The Highways and Transportation Act, 1997* and the Regulations thereto as they relate to those traveling at a speed greater than that which is permitted;
60. A person guilty of a violation of any provisions of this bylaw, for which no other penalty is imposed, is liable on summary conviction for the first offence to a fine not less than

two hundred and fifty (\$250) dollars and not more than five Hundred (\$500) dollars and for a subsequent offence to a fine not less than five Hundred (\$500) dollars and not more than two thousand five hundred (\$2,500) dollars;

61. The owner of a motor vehicle or trailer, other than a public service vehicle, is liable for violation of any provisions of this bylaw in connection with the operator of the motor vehicle or trailer, unless he proves to the satisfaction of the court hearing in the case that at the time of the offence, the vehicle was not being operated by him, nor by any one with his consent, either expressed or implied;

62. Where at the time of a violation of any provisions of this bylaw in connection with the operation of a motor vehicle, other than a public service vehicle, the vehicle was not being operated by the owner, nor by any person with his consent, expressed or implied, the person in charge of the vehicle is liable unless he proves to the satisfaction of the court hearing in the case that the vehicle was not being operated by him or, nor by any other person with his consent, either expressed or implied;

63. This bylaw shall come into full force and take effect on the date of receiving approval of the Highway Traffic Board of Saskatchewan;

Introduced and read for a first time this day of , 2017.

Read for a second time this day of , 2017.

Read for a third time and passed this day of , 2017.

Mayor

C.A.O.

SEAL