

DISTRICT OF KATEPWA

BYLAW NO. 18-05

A BYLAW OF THE DISTRICT OF KATEPWA TO REGULATE THE OPERATION OF VEHICLES.

The Council of the District of Katepwa, in the Province of Saskatchewan, enacts as follows:

1. INTERPRETATION

In this Bylaw:

- a) "Angle Parking" means the parking of vehicles with the right front wheel drawn up to the curb on the right-hand side of the highway, or at a distance of not more than thirty (30) centimetres from such curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- b) "Chief of Police" shall mean and include the senior officer or non-commissioned officer in charge of the detachment of the Royal Canadian Mounted Police, engaged to police the District of Katepwa, or any non-commissioned officer or any constable by him duly appointed;
- c) "Clerk" means the Clerk/Administrator of the District of Katepwa or his or her designated from time to time;
- d) "Council" shall mean the Council of the District of Katepwa;
- e) "Curb" means the lateral boundaries of a roadway, whether or not marked by curbing;
- f) "Heavy Vehicle" means a motor vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes or more;
- g) "Highway" means a road, parkway, driveway, square or place designed 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 with the municipality as designated pursuant to the provisions of *The Highways and Transportation Act, 1997*;

- h) "Lug Vehicle" means any truck, portable engine or traction engine having metal spikes, lugs or cleats projecting from the face of wheels or tires thereof, or having metal track tread;
- i) "Municipality" means the District of Katepwa;
- j) "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 at a distance of not more than thirty (30) centimetres from such curb;
- k) "Parking" or "Park" means the standing of a vehicle, whether occupied or not, on a highway other than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations, signs or signals;
- l) "Place of Public Assembly" means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls;
- m) "Police Officer" shall mean any member of the Royal Canadian Mounted Police (RCMP) attached to the detachment of the RCMP engaged to police the District of Katepwa and any person specially appointed by the District of Katepwa to be a police officer;
- n) "Power Turns" 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 breaking;
- o) "Sidewalk" shall mean the actual sidewalk where constructed on a part of a public highway or that portion of a public highway intended primarily for use by pedestrians;
- p) "Speed Zone" means any portion of a highway within the District of Katepwa, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- q) "Stop" means:
 - i) when required, a complete cessation from movement, and
 - ii) when prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Office or a traffic-control signal;

- 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 device in, on, or by which a person or things is or may be transported or drawn on a highway and includes special mobile machines and agricultural implements but does not include vehicles running only on rails or solely on railway company property.

2. DESIGNATED STREETS

- a) All streets or portions thereof set out in Appendix 1, attached hereto and forming part of this Bylaw, are established as "Stop" streets.
- b) All streets set out in Appendix 2, attached hereto and forming part of this Bylaw, are established as "Yield" streets.
- c) The intersections of streets set out in Appendix 3, attached hereto and forming part of this Bylaw, are established as "Non U-Turn" intersections.
- d) All streets set out in Appendix 4, attached hereto and forming part of this Bylaw, are established as "No Parking" streets.
- e) The erection of "Stop", "Yield", "No U-Turn" and "Parking" signs is hereby authorized as required at the intersections of those streets designated as "Stop" streets, "Yield" streets, "No U-Turn" streets and "No Parking" streets in Appendix 1, 2, 3 and 4 respectively.

3. STOP STREETS

- a) The driver of a vehicle shall bring the vehicle to a stop:
 - i) when approaching every intersection with a street designated in Appendix 1 as a "Stop" street and at every place where a stop sign is erected.
- b) No person who is required to stop pursuant to subsection (a) shall proceed until it is safe to do so.

4. STOP BEFORE CROSSING

- a) Every person driving a vehicle shall, before entering a street from a lane or a public or private driveway, bring the vehicle to a dead stop and shall not proceed until it is safe to do so.

5. YIELD STREETS

- a) At an intersection designated in Appendix 2 or where a sign is erected conveying the message "Yield" by words or by symbols, the driver of a vehicle shall yield the right-of-way to other vehicles in or approaching the intersection.

6. U-TURNS

- a) No person operating a vehicle shall make a U-Turn at any time at any intersection designated in Appendix 3 or at any intersection where a "No U-Turn" sign has been erected.
- b) At any intersection where a U-Turn is not prohibited, every driver of a vehicle making a U-Turn shall yield the right-of-way to all other vehicles within or approaching the intersection.
- c) No person operating a vehicle shall make a U-Turn at any time between intersections.

7. NO PARKING STREETS

- a) Parking is prohibited on those streets as designated in Appendix 4.

8. MISCELLANEOUS SIGNS

- a) 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.
- b) No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this Bylaw.

9. SCHOOL BUS FLASHING LIGHTS

- a) The operator of a school bus, when operating a school bus on public highways in the District of Katepwa, shall activate the safety lights.

10. LUG VEHICLES

- a) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained of the Clerk, a permit in writing authorizing same.
- b) The Clerk is hereby authorized to issue permits in writing for the purpose of Section 10(a) of this Bylaw in any case where the applicant therefore

has signed a written undertaking in Form 1, Appendix 5. Provided that the Clerk 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 therein.

11. PARKING

- a) Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the District of Katepwa.
- b)
 - i) Subject to the provisions of Subsection (ii), no person shall park a vehicle in any lane, nor in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises;
 - ii) Notwithstanding the provisions of Subsection (i), a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be so parked for a period exceeding thirty (30) minutes at one time unless written permission has first been obtained from the Clerk or a Police Officer of the municipality for an extension of such time limit.
- c)
 - i) Subject to Subsection (ii), every person parking a vehicle upon a highway within the municipality, where parking is permitted, shall parallel park same;
 - ii) Every person parking a vehicle upon the highways listed in Appendix 6 shall angle park same.
- d) No person shall park a vehicle in any "No Parking" area as designated in Appendix 4 at any time whether such areas are marked on the curb or otherwise by signs erected and maintained in accordance with the provisions of Section 18(d) to indicate that parking therein is prohibited.
- e) No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.
- f) No person shall park any vehicle in any private parking 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.
- g)
 - i) Subject to Subsection (ii), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or other flammable, combustible or explosive material, with a

carrying capacity of over 600 litres, within thirty (30) metres from any 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.

- ii) Nothing in Subsection (i) 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.
- h) No person shall park a vehicle with a manufacturer's rated capacity in excess of 5,500 kg on any streets or avenues within the municipality.

12. POWER TURNS / SPINNING TIRES

- a) The operator or a vehicle shall not execute "power turns" on any highway in the municipality.
- b) No person shall operate a motor vehicle on any street, avenue, lane, public parking lot and/or private parking lot at any time in the District of Katepwa in such a manner so as to cause the rear wheels of said motor vehicle to spin whereby foreign objects may be thrown from the said wheels or said motor vehicle thereby creating a nuisance.

13. SNOWMOBILES

- a) Snowmobiles may be operated within the District of Katepwa between the hours of 7 o'clock a.m. and 11:00 o'clock p.m. on any public highway except Provincial Highway No. 56.
- b) Notwithstanding Section 13(a) of this Bylaw, it shall be lawful to operate a snowmobile on that portion of Provincial Highway No. 56 that is within the limits of the municipality for the purpose of crossing the said Highway.

14. SPEED

- a) No person shall operate a vehicle in the municipality at a speed greater than fifty (50) kilometers per hour.
- b) Notwithstanding Section 14(a), no person shall operate a vehicle in the municipality at a speed in excess of the speed designated on posted speed signs.

15. WEIGHT RESTRICTIONS – TRUCK ROUTES

- a) No person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s), with or without a load exceeds 12,000 kg, except on a highway within the municipality designated as a Heavy Vehicle Route as listed in Appendix 7.
- b) Subject to Subsection (a), no person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s), with or without a load, exceeds the maximum allowable weight pursuant to the Vehicle Weight and Dimension Regulations, 1988 on any highway within the municipality.
- c) Subsections (a) and (b) shall not apply to vehicles making delivery on any highway within the municipality provided that the operator of the vehicle(s) uses the most direct route from and to the heavy vehicle route.
- d) The provisions of *The Police Act* and *The Highways and Transportation Act, 1997* shall apply to the operators.

16. VEHICLES ON PUBLIC RESERVE, ETC.

- a) No person may operate or park a vehicle on any areas designated in Appendix 8.
- b) The provision of Subsection (a) shall not apply to maintenance vehicles or vehicles using a designated parking area.

17. BICYCLES

No person shall operate a bicycle without having at least one hand on the handle bar.

18. SIGNS

- a) Council shall cause to be erected and maintained at all "Stop" streets listed 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" streets as listed in Appendix 4, appropriate "No Parking" 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 may, by resolution, provide for the erection and maintenance on any highway, and at any designated point or points thereon, of such signs as it may deem expedient for warning, guidance, directions or information thereon.

19. PENALTIES

- a) Except as otherwise provided in this Bylaw, any person who contravenes any of the provisions of this Bylaw is guilty of an offence punishable on summary conviction and liable for a fine not exceeding \$100.00.
- b) Any person who contravenes any of the provisions of Subsections 8(a) and (b) of this Bylaw is guilty of an offence or liable on summary conviction to the penalties provided in the General Penalty Bylaw of the municipality.
- c) Any person who contravenes any of the provisions in Subsections 10(a) and 12(a) of this Bylaw shall be liable on summary conviction to a penalty of:

i)	Subsection No. 10(a)	-	\$100.00
ii)	Subsection No. 12(a)	-	\$ 75.00
iii)	Subsection No. 12(b)	-	\$ 75.00

- d) i) Any person who contravenes any of the provisions of Subsections 6(a), 6(b), 6(c), 11(b)(i), 11(c)(i), 11(d), 11(e), 11(f), 11(g)(i), 11(h) and 16(a) of this Bylaw or fails to comply therewith or with any Notice or Order given thereunder shall be guilty of an offence and upon conviction, shall be liable to penalties as follows:

i)	Subsection 6(a)	-	\$25.00
ii)	Subsection 6(b)	-	\$25.00
iii)	Subsection 6(c)	-	\$25.00
iv)	Subsection 11(b)(i)	-	\$20.00
v)	Subsection 11(c)(i)	-	\$20.00
vi)	Subsection 11(d)	-	\$25.00
vii)	Subsection 11(e)	-	\$20.00
viii)	Subsection 11(f)	-	\$20.00
ix)	Subsection 11(g)(i)	-	\$50.00
x)	Subsection 11(h)	-	\$25.00
xi)	Subsection 16(a)	-	\$50.00

- ii) A violator of any of the Subsections of this Bylaw, as set out in Subsection (i), upon being served with a Notice of Violation, may, during the regular office hours, voluntarily pay the penalty at the District Office, and upon payment as so provided, that person shall not be liable to prosecution of the offence.
 - iii) The Notice of Violation shall be in Form "2", Appendix 9, attached to and forming part of this Bylaw.
- e) A person who contravenes any of the provisions of Subsection 10(a) of this Bylaw or fails to comply therewith or with any Notice or Order given thereunder, shall be guilty of an offence on summary conviction and liable for a fine not exceeding \$20.00
- f) i) A person who contravenes the provisions of Section 14(a) and (b) is guilty of an offence and liable on summary conviction to a penalty of not less than \$25.00 nor more than \$100.00 for the first offence and not less than \$25.00 nor more than \$200.00 for each subsequent offence.
- ii) A further penalty shall be imposed as follows:
- Three (\$3.00) dollars for each 50 kilograms or fraction thereof for the first 1,000 kilograms in excess of the prescribed maximum gross weight allowable; and
 - Five (\$5.00) dollars for each 50 kilograms or fraction thereof in excess of 1,000 kilograms that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kilograms or two (2) percent of the maximum gross weight fixed by this Bylaw, whichever is the lesser, shall not be taken into account.
- iii) In each instance, the total fine shall not exceed the maximum provided for in the General Penalty Bylaw of the District of Katepwa.
- g) The penalty for contravention of Section 17 is as follows:
- i) For the first infraction, impounding the bicycle for seven (7) days;
 - ii) For the second or additional infractions, impounding the bicycle for fourteen (14) days.

20. IMPOUNDING

- a) Any member of the Police Force, Special Constable or other person appointed by Council, may remove or cause to be removed any vehicle that is unlawfully placed, left or kept on any street or lane, public parking place, or other public place, or on municipality owned property and to impound or store such vehicle.
- b) Where a vehicle has been impounded or stored after it has been removed under Subsection (a), it may be retained at a place designated by Council for a period of thirty (3) days from date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.
- c) If the costs of removal, impounding and storage are not paid within the period of thirty (30) days as specified in Subsection (b), 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 by public auction on publication of a notice designating the time and place of sale, at least ten (10) days prior to the sale, in a newspaper circulating in the municipality and on sending such notice by registered mail to the owner at the address appearing on the last registration of the vehicle.

21. REPEAL

- a) Bylaw No. 4-01, Resort Village of Katepwa Beach, is hereby repealed.
- b) Bylaw No. 3-04 and Bylaw No. 2-92, Resort Village of Katepwa South, are hereby repealed.
- c) Bylaw No. 2, Resort Village of Sandy Beach, is hereby repealed.

Mayor

(Seal)

Administrator