

**DISTRICT OF KATEPWA
BYLAW NO. 2-2019**

**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 on 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 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 and 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 Officer 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 thing 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 word 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, and 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 an 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 not 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 highway 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.
- i. No person shall park a vehicle on any highway for longer than 48 hours, where no other time limit is posted.

12. POWER TURNS/SPINNING TIRES

- a. The operator of 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) kilometres per hour
- b. Notwithstanding Section 14(a), no person shall operate a vehicle in the municipality at a speed in excess of the speed limit 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 vehicles(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 vehicles(s) uses the most direct route from and to the heavy vehicle route.
- d. No person shall operate a vehicle or combination of vehicle along Katepwa Road when the combined gross weight of the vehicle (s), with or without a load exceeds 8,000kg, unless a permit has been supplied by the municipality to allow for secondary weights for the vehicle.
- e. The provisions of *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 area designated in Appendix 8.
- b. The provisions of Subsection (a) shall not apply to maintenance vehicles or vehicles using a designated parking area.

17. BICYCLES

- a. 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, direction 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 offense punishable on summary conviction and liable for a fine not exceeding \$100.00.
- b. Any person who contravenes any of the provisions of Subsection 8(a) and (b) of this Bylaw is guilty of an offense 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 Subsection 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 offense and upon conviction, shall be liable to penalties as follows
 - 1. Subsection 6(a) - \$25.00
 - 2. Subsection 6(b) - \$25.00

3. Subsection 6(c)	-	\$25.00
4. Subsection 11(b)(i)	-	\$20.00
5. Subsection 11(c)(i)	-	\$20.00
6. Subsection 11(d)	-	\$25.00
7. Subsection 11(e)	-	\$20.00
8. Subsection 11(f)	-	\$20.00
9. Subsection 11(g)(i)	-	\$50.00
10. Subsection 11(h)	-	\$25.00
11. 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 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 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 offense on summary conviction and liable for a fine not exceeding \$20.00.
 - f.
 - i. A person who contravenes the provision of Section 14(a) and (b) is guilty of an offense 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:
 - 1. 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
 - 2. 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
- h. The penalty for contravention of Section 21 is as follows:
 - i. The Clerk will make best efforts to contact the owner to notify them to move the vehicle.
 - ii. The vehicle will be towed to the District compound or Towing companies compound, the owner will be responsible for paying towing and storage fees.

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 (30) days from the date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full cost herein, the vehicle may be release to the owner thereof.
- c. If the cost 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 form 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. ABANDONED VEHICLES

- a. A vehicle shall not be abandoned on a highway.
- b. Without restricting the generality of Subsection (1) a vehicle that is left standing in one location on a highway for more than 72 hours is deemed to have been abandoned at that location.

22. REPEAL

- a. Bylaw No. 18-2005 is hereby repealed
- b. Bylaw No. 9-2017 is hereby repealed.

(Seal)

Mayor

Administrator

Certified a true and correct copy of Bylaw 2-2019
passed by Council of the District of Katepwa at
a meeting held on the ____ day of _____, 2019.

CAO

APPENDIX 1 OF BYLAW NO. 2-2019

“STOP” STREETS [Section 2(a)]

<u>Street or Avenue</u>	<u>Where intersected by Street or Avenue</u>
Elm Street	Katepwa Avenue
Katepwa Avenue	Elm Street
Cypress Street	Lakeside Avenue
Lakeside Avenue	Cypress Street
Grove Avenue	Edwyn Street
Edwyn Street	Grove Avenue
Lakeside Avenue	Highway No. 56
Cypress Street	Highway No. 56
Katepwa Avenue	Highway No. 56
Regina Avenue	Highway No. 56
Uplands Drive	Highway No. 56
May Street	Highway No. 56
Jackson Street	Highway No. 56
Grove Avenue	Highway No. 56
Boundary Avenue	Highway No. 56
Dogwood Avenue	Highway No. 56
Central Avenue	Highway No. 56
Lilac Drive	Highway No. 56
Willow Avenue	Highway No. 56
Woodlawn Avenue	Highway No. 56

APPENDIX 2 OF BYLAW NO. 2-2019

“YIELD” STREETS [Section 2(b)]

<u>Street or Avenue</u>	<u>Where intersected by Street or Avenue</u>
Lakeview Lane	Elm Street
Qu'Appelle Avenue	Elm Street
Katepwa Road	West Maples
Katepwa Road	East Maples

APPENDIX 3 OF BYLAW NO. 2-2019

“NO U-TURNS” INTERSECTIONS [Section 2(c)]

The Intersection of:

Katepwa Avenue and Elm Street
Cypress Street and Lakeside Avenue
Katepwa Road and Brown’s Hill
Katepwa Road and West Maples
Katepwa Road and East Maples

APPENDIX 4 OF BYLAW NO. 2-2019
“NO PARKING” STREETS [Section 2(d)]

Street or Avenue _____

Lakeview Lane

Lake Lane

Katepwa Road (the entire roadway throughout the Katepwa South area)

FORM 1
APPENDIX 5 OF BYLAW NO. 2-2019
PERMIT FOR OPERATION OF LUG VEHICLES
[Section 10(b)]

Name:

Address:

Type of Vehicle:

Route:

Deposit: \$500.00

I DECLARE THAT:

- a) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.
- b) 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 or less than 4 metres in length, 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 than they will support the wheels or tread of the lug vehicle on both sides thereof throughout its entire passage over such bridge or culvert.
- c) 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.

Date

Owner/Operator

APPENDIX 6 OF BYLAW NO. 2-2019
“ANGLE PARKING AREAS” [Section 11(c)(ii)]

Street or Avenue	From	To
Regina Avenue (South side)	Lakeview Lane	Lot 5, Block 6, Katepwa Beach Subdivision

APPENDIX 7 OF BYLAW NO. 2-2019

“HEAVY VEHICLE TRUCK ROUTE”

[Section 15(a)]

Street or Avenue	From	To
Regina Avenue	Highway No. 56	Lakeview Lane
Katepwa Avenue	Highway No. 56	Elm Street
Elm Street	Katepwa Avenue	Regina Avenue

APPENDIX 8 OF BYLAW NO. 2-2019
“PUBLIC RESERVE, ETC”
[Section 16(a)]

FORM 2
APPENDIX 9 OF BYLAW NO. 2-2019
NOTICE OF VIOLATION

Name: _____.

Address: _____.

Postal Code: _____.

On the _____ day of _____, 20____, at/near
_____, Saskatchewan at _____ A.M./P.M.

DID UNLAWFULLY COMMIT the following offence:

_____ Parking	Bylaw No. _____.
_____ Dog	Bylaw No. _____.
_____ Other	Bylaw No. _____.

Description of Violation _____.

Location of Violation _____.

You are charged with Violation of Bylaw No. _____.
Section No. _____.

Penalty for the 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 \$50.00 or less, you may make voluntary payment of the above penalty at the District of Katepwa Office during regular office hours or by mail within ten (10) 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.