

BYLAW NO. 6 (2024)

Town of Bienfait

A BYLAW TO REGULATE THE OPERATION OF VEHICLES

The Council of the Town of Bienfait in the Province of Saskatchewan, enacts as follows:

1. Interpretation

- (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) centimeters from such curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- (b) "curb" means the lateral boundaries of a roadway, whether or not marked by curbing;
- (c) "highway" means any street or public highway within the municipality, but does not include a provincial highway therein as designated pursuant to the provisions of The Highway Acts;
- (d) "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.
- (e) "park, parking", have the meanings ascribed thereto by The Vehicles Act.
- (f) "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;
- (g) "vehicle" has the meaning ascribed to it by The Vehicle Act;
- (h) "speed zone" means any portion of a highway within The Town of Bienfait, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (i) "heavy vehicle" means a motor vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle bring towed, weighs 4.5 tonnes or more;
- (j) "place of public assembly" means any schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls.
- (k) "clerk" means the Town Administrator of the municipality
- (l) "lug vehicle" means any truck, portable engine or traction engine having metal spikes, lugs or cleats projecting from the face
- (m) "power turn" means to maneuver a vehicle in such a manner to cause the rear of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or breaking.

2. SCOPE

(a) "STOP" STREETS

The streets and avenues listed in Appendix 1 are designated as STOP streets.

(b) "YIELD" STREETS

The streets and avenues listed in Appendix 2 are designated as YIELD streets.

(c) "NO U-TURN INTERSECTIONS"

The intersections of streets and avenues, approached from all four (4) directions as listed in Appendix 3 are designated as "NO U-TURN" intersections.

3. INFRACTIONS

(a) "STOP" Streets

The provisions of The Vehicle Act shall apply to all traffic approaching and facing a "stop" sign erected and maintained in accordance with the provisions of section 4(a).

(b) "YIELD" Streets

The provisions of The Vehicle Act shall apply to all traffic approaching and facing a "Yield" sign erected and maintained in accordance with the provisions of section 4(b).

(c) MISCELLANEOUS SIGNS

(1) 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 light.

(2) No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this bylaw.

(d) FLASHING LIGHTS – SCHOOL BUS

The operator of a school bus when operating a school bus on public highways in the municipality in which a school is locate as listed in Appendix 4, shall:

(1) activate the flashing signals when stopping for the purpose of loading and unloading school children, at least three hundred and fifty feet before the point of loading or unloading;

(2) maintain the operation of the flashing signals while stopping to load or unload school children; and

(3) when unloading school children, discontinue the operation of the flashing signals after the school children have reached a place of safety before continuing along the public highway.

(e) LUG VEHICLES

(1) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained from the Clerk a permit in writing authorizing same.

(2) The clerk is hereby authorized to issue permits in writing for the purpose of section (e) (1) 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 is satisfied that with the 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.

(3) Nothing contained in section (e) (1) shall be deemed to preclude the transport of a lug vehicle as herein defined over any highway where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

(f) PARKING

- (1) Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- (2)
 - (a) subject to the provisions of subsection (b) 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;
 - (b) notwithstanding the provisions of subsection (a), a farm truck or commercial vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such truck or 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.
- (3)
 - (a) subject to subsection (b) & (c), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park same;
 - (b) every person parking a vehicle upon the highways listed in Appendix 6 shall angle park same.
 - (c) The parking of vehicles weighing in excess of the manufacturer's rating of 1 ton is permitted in the center of Main Street between Railway Avenue and Souris Avenue.
- (4) No person shall park a vehicle in any "No Parking" areas as designated in Appendix 7 at any time whether such areas are marked on the curb or otherwise erected and mentioned in accordance with the provisions of section 4(d) to indicate that parking therein is prohibited.
- (5) No person shall park a vehicle within five (5) meters of any street intersection or fire hydrant.
- (6)
 - (a) Subject to subsection (b) and subject to subsection 6(a)(i), no person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) hours.
 - (i) Parking of one (1) licensed vehicle within the allowable weight restriction shall be allowed on a continuous basis directly in front of the property owner's property or the renter's rental property after having purchased a \$10.00 parking permit from the Bienfait Town Office located at 415 Main Street. The parking permit must be renewed on an annual basis. This parking permit must be displayed within the vehicle.
 - (ii) The property owner/renter must provide the civic address of the property.
 - (iii) The property owner/renter must provide a current phone number where the person can be easily contacted.
 - (iv) The property owner/renter, after having received a 24-hour notification, must move the vehicle to allow for snow removal, road maintenance, parade, or any other circumstance the Town deems necessary. The exception to this notification is if an unexpected snowfall has occurred at which time the vehicle must be removed immediately without any prior notification.

- (v) If the vehicle owner is unable to be contacted or fails to remove the vehicle as directed, the Town of Bienfait shall not be held liable for any damage or blockage of the vehicle due to snow removal, road maintenance, or any other Town matter requiring attention.

- (b) No person shall park a vehicle in the center of Main Street between Railway Avenue and Souris Avenue for a period exceeding one (1) hour, unless for the purpose of taking on or discharging cargo, in which case the vehicle shall be parked no longer than is necessary for the taking on or discharging of cargo, which in no case shall be longer than the established limit in 6(a) above.

- (7) No person shall park any vehicle on any private property unless he or she 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.

- (8) (a) subject to subsection (b), no person shall park any commercial vehicle carrying or intended for the carrying of oil, gasoline, or other inflammable, combustible or explosive material, within 30 meters 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.

- (b) nothing in subsection (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.

- (9) No person shall park a truck with a manufacturers rating capacity in excess of 5,500kg. on any streets or avenues designated in Appendix 8.

- (g) POWER TURNS

The operator of a vehicle shall not execute "power turns" on any highway in the municipality.

- (h) SPEED

- (1) Subject to subsection (2), no person shall operate a vehicle in the municipality at a speed greater than thirty (30) km/hr.

- (2) No person shall operate a vehicle at a speed greater than thirty (30) km/hr. in the speed zones as set out in Appendix 9.

- (3) No person shall operate a vehicle at a speed greater than ten (10) km/h in any alleys within the municipality.

- (i) U-TURNS

- (1) No person shall cause a vehicle to make a U-Turn at an intersection of a street with a lane or any alley in the municipality on any other street other than at intersections.

- (2) No person shall cause a vehicle to make a U-Turn at the intersections designated as "No U-Turn" intersections. (see 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 section 4(c).

(k) WEIGHT RESTRICTIONS – TRUCK ROUTES

“3(k)(1) No person shall operate a vehicle or combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 10,000 kg. except on a highway within the municipality designated as a Heavy Vehicle Route as listed in Appendix 11.

(3) Any vehicle of which the length, with or without any trailer or load is longer than can easily be angle parked shall, when parking on Main Street, between Souris Avenue and Railway Avenue; center park the vehicle in accordance with section 3(f)(3)(c).

(l) VEHICLES ON PUBLIC RESERVES, ETC.

(1) Subject to subsection (2), no person may operate or park a vehicle on any areas designated on Appendix 12.

(2) This bylaw shall not apply to maintenance vehicles or vehicles using designated parking areas.

4. 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) meters from the point of intersection, an appropriate sign containing the word “STOP” so placed that it faces traffic approaching the Stop street.

(b) Council shall cause to be erected and maintained at the right hand of every street intersecting a “Yield” street listed in appendix 2, at a distance of approximately three (3) meters from the point of intersection, an appropriate sign containing the word “YIELD” so placed that it faces traffic approaching Yield Street.

(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) meters, an appropriate sign containing the word “No U-Turn” so placed to face the traffic approaching the intersection.

(d) Council shall cause to be erected and maintained appropriate signs or curb markings to indicate “No Parking” areas. 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.

5. PENALTIES

(a) Any person who contravenes any of the provisions of subsections 3(c)(1) and 3(c)(2) of this bylaw is guilty of an offence and liable on summary conviction to the penalties provided in the General Penalty Bylaw of the municipality. In addition, any infraction which is not specifically assigned a penalty shall be covered, upon summary conviction, by the General Penalty Bylaw.

(b) Any person who contravenes any of the provisions of sections 3(a), 3(b), 3(e)(1), 3(f)(2)(a), 3(f)(5), 3(f)(6), 3(f)(7), 3(f)(8)(a) and (b), 3(f)(9), 3(g), 3(i)(1) & (2), 3(j)(1) & (2) shall be subject on summary conviction to the penalties as detailed in appendix #13.

(c) (1) Any person who contravenes any of the provisions of subsections 3 (d)(1), 3(d)(2), 3(d)(3), 3(f)(2)(b), 3(f)(3)(a), 3(f)(3)(b), 3(f)(4) and 3(h)(1) of this bylaw or who 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 the penalties as designated in appendix 14.

- (2) A violator of the sections of this bylaw as set out in subsection (1) above upon being served with a Notice of Violation, may, during the regular office hours of the Town Office, voluntarily pay the penalty at the Town Office, and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- (3) The Notice of Violation shall be in Form "2", Appendix 15, attached to and forming part of this bylaw.
- (d) (1) A person who contravenes the provisions of subsections 3(k), (1) and (2), is guilty of an offence and liable on summary conviction to a penalty of not less than \$25, nor more than \$100 for the first offence and not less than \$25, nor more than \$200 for each subsequent offence.
- (2) A further penalty shall be imposed as follows:
 - (a) Three dollars for each 50kg. or infraction thereof for the first 1,000kg. in excess of the prescribed maximum gross weight allowable; and
 - (b) Five dollars for each 50kg or infraction thereof in excess of 1,000kg that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500kg or 2 percent of the maximum gross weight fixed by this bylaw, whichever is the less, shall not be taken into account.
- (3) In each instance, the total fine shall not exceed the maximum provided for in the General Penalty Bylaw of the municipality.

6. IMPOUNDING

- (1) 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 municipally owned property, and to impound or store such vehicle.
- (2) Where a vehicle has been impounded or stored after it has been removed under subsection (1), 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 costs herein, the vehicle may be released to the owner thereof.
- (3) If the costs of removal, impounding and storage are not paid within thirty (30) days as specified in subsection (2) above, the municipality shall have the right to recover the same from the owner of the vehicle by:
 - (a) legal action in a court of competent jurisdiction;
 - (b) sale by public auction on publication of a notice designating the time and place of the sale at least ten 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.

7. EFFECTIVE DATE

This Bylaw shall come into effect on the date of final approval by the Highway Traffic Board.

8. REPEAL

Bylaw No. 224 To regulate the operation of vehicles, Bylaw No. 313(1994), Bylaw No. 308(1993), Bylaw No. 279(1986), Bylaw No. 272(1985), Bylaw No. 262(1984), Bylaw No. 252(1984), Bylaw No. 247(1983), Bylaw No. 2(2004), Bylaw No. 5(2002), Bylaw No. 3(2001), Bylaw No. 5(2016), Bylaw No. 5(2014), and Bylaw No. 9(2009) are hereby repealed on the date of the final approval by the Highway Traffic Board.

TOWN OF BIENFAIT





Mayor



Administrator

Read a third and final time, approved and adopted for use by the Town of Bienfait this 14th day of August, 2024.