

Village of Val Marie

Bylaw 9-13

**A Bylaw to Regulate the Operation & Parking of Vehicles and the Use of the
Highways**

OFFICE CONSOLIDATION

As at February 5, 2014

FOR REFERENCE PURPOSES ONLY –

NOT A CERTIFIED TRUE COPY OF THE ORIGINAL

This Bylaw was passed on February 5, 2014 and was amended on August 8, 2019 with
Bylaw 2-19

VILLAGE OF VAL MARIE

BYLAW NO. 9-13

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

The Council of the Village of Val Marie 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 Val Marie;
 - (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) **“municipality”** means the Village of Val Marie;
 - (i) **“one-way highway”** means highway ascribed to it by *The Traffic Safety Act*;
 - (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 of the highway, or a distance of not more than thirty (30) centimeters from such curb;
 - (k) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
 - (l) **“place of public assembly”** means schools, theatres, churches, rinks, and halls;
 - (m) **“power turn”** 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 braking;
 - (n) **“designated officer”** means the Administrator, Royal Canadian Mounted

- Police, Sheriff or any other person appointed to enforce municipal bylaws;
- (o) **“speed bump”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
 - (p) **“speed zone”** means any portion of a highway within the Village of Val Marie, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
 - (q) **“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;
 - (r) **“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 directions listed in Appendix 3;

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) **Parking:**
 - i. Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
 - ii. (a) Subject to the provisions of sub clause 4(d)(ii)(b), no person shall park a vehicle in any lane, or 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 sub clause 4(d)(ii)(a), a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding sixty (60) 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(d)(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 4 shall angle park same.

- iv. No person shall park a vehicle in any “No Parking” area as designated in Appendix 5 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.
- vi. 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.

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

(f) **Snowmobiles:**

Under the provisions *The Snowmobile Act* and subject to clause 4(f)(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 No. 18 and Provincial Highway No. 4 within the limits of the municipality.
- ii. Notwithstanding clause 4(f)(i) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Highway Number 18 for the purpose of crossing the Provincial Highway at the intersection of First Avenue East and Highway No. 18.
- iii. Notwithstanding clause 4(f)(ii) all Provincial highway crossing must be assessed by traffic operations staff from the Department of Highways and Transportation to ensure that any crossing safety issues are addressed. All snowmobile trails that run inside the right-of-way of a provincial highway must be permitted in writing by the Department of Highways and Transportation. All snowmobile trail permit applications must be sent to the 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. 18 and Highway No. 4 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.

(g) Speed:

- i. Subject to clause 4(g) ii no person shall operate a vehicle in the municipality at a speed greater than forty (40) km per hour.
- ii. No person shall operate a vehicle at a speed greater than twenty (20) km per hour in the speed zones as set out in Appendix 6.

(h) U-Turns:

- i. No person shall cause a vehicle to make a U-Turn at the intersection designated as an "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).

(i) Vehicles on Public Reserves, etc.

- i. No person may operate or park a vehicle on any area designated on Appendix 7.
- ii. The provisions of clause 4(i)(i) shall not apply to maintenance or vehicles using a designated parking area.

(j) All Terrain Vehicles

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

- i. It shall be lawful to operate an All Terrain Vehicle on all travelled and untraveled portions of highways within the limits of the municipality except Provincial Highway No. 4 and Provincial Highway No. 18.
- ii. Notwithstanding clause 4(j)(i) of this bylaw, it shall be lawful to operate an All Terrain Vehicle on the portion of Highway No. 18 for the purpose of crossing the Provincial Highway at the intersection of First Ave E and Second Ave E and Highway No. 18.
- iii. Notwithstanding clause 4(j)(ii) all Provincial Highway crossings must be assessed by traffic operations staff from the Department of Highways and Transportation to ensure that any crossing safety issues are addressed.
- iv. No person shall operate an All Terrain Vehicle upon any property in such a manner that is dangerous to other persons or property.
- v. No person shall operate an All Terrain Vehicle to travel two (2) abreast on a street.
- vi. All persons operating an All Terrain Vehicle must be operating in compliance with the All Terrain Vehicles Act at all times.

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 5, 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.

6. **PENALTIES**

(a) **Signs:**

Any person who contravenes any of the provisions of clauses 4(c)(i) and 4(c)(ii) 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.

(b) **Power Turns:**

Any Person who contravenes subsection 4(e) of this bylaw shall be liable on summary conviction to a penalty of \$200.

(c) **Parking, U-Turns, Public Reserve, Loading Zones:**

A person who contravenes any of the provisions of subsections 4 (d) 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 upon summary conviction, shall be liable to a penalties of \$100.

(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 10 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 8, attached to and forming part of this bylaw

(e) **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*, *The All Terrain Vehicle 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(d)(vi) when requested by the owner, occupant, licensee or permit holder of said land; or
 - 3. is found on a street, 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 were sent to the owner at least one week apart; and*
 - d. *a justice, having been satisfied by evidence provided by way of oath, affidavit or statutory declaration of the existence of the facts mentioned above in clauses 7(a)(i)(3)(a) to (c), has issued an order authorizing the removal and impoundment*
- ii. and seize, impound or store such vehicle.
- b. The municipality may retain a vehicle which has been impounded or stored after it has been removed under subsection 7(a) until the amount of outstanding fines, if any, and the costs incurred in removing and impounding or storing the vehicle have been paid, and upon payment of 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 (*longer if Council wishes*), 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 (*longer if Council wishes*) 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 Numbers: 6-66, 8-66, 12-66, 27-76, 1-96, 2-96, 6-96, of the Village of Val Marie are 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.

APPENDIX 1
of Bylaw No. 9-13

"STOP" STREETS [section 3(a)]

Street or Avenue	Where intersected by street or avenue
Centre Street	Highway No. 4
First Avenue E.	River Street
Fourth Street N.	River Street
Railway Ave. E.	River Street
Railway Ave. W.	Highway No. 4
River Street	Highway No. 4

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APPENDIX 2
of Bylaw No. 9-13

"YIELD" STREETS [section 3(b)]

Street or Avenue	Where intersected by street or avenue
First Avenue West	Highway No. 4
First Avenue East	Centre Street
First Avenue West	Centre Street
Center Street	Railway Ave.
First Street S.	Railway Ave W.
First Street S.	First Ave W.
First Street N.	Railway Ave E
First Street N.	First Ave. E.
Second Street N.	Railway Ave E.

Second Street N.
Third Street N.
Third Street N.
Fourth Street N.

First Ave. E.
Railway Ave. E
First Ave E.
Railway Ave E.

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APPENDIX 3
of Bylaw No. 9-13

"NO U-TURN" INTERSECTIONS [section 3(c)]

The intersections of:

Centre Street and Railway Avenue

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APPENDIX 4
of Bylaw No. 9-13

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

Street or Avenue	From	To
Centre Street	Railway Ave.	Highway No. 4
First Ave W.	Centre Street	First Street S.

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APPENDIX 5
of Bylaw No. 9-13

"NO PARKING" AREAS - [section 4(d)(iv)]

Street or Avenue	Area Affected/Times
First Avenue E.	33 Feet in front of 101 First Ave East (Lot 1 Blk 6 Plan DH1279), Ambulance Bay – NO PARKING at any time

Form 2

APPENDIX 8
of Bylaw No. 9-13
NOTICE OF VIOLATION [section 6(d)(ii)]
Village of Val Marie

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

On the ____ day of _____, 20 __, at/near Val Marie, Saskatchewan at ____ a.m/p.m

Did unlawfully commit the following offence:
("X" indicates offence charged)

- | | | |
|---|---------|-----------------|
| • | Parking | Bylaw No. _____ |
| • | Other | 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 \$ _____ or less, you may make voluntary payment of the above penalty at the municipal office of the Village of Val Marie during regular office hours or by mail within _____ 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.