

BYLAW NO. 2024-08

TRAFFIC BYLAW

A Bylaw of the Town of Midale to Regulate the Operation of Vehicles

The Council of the Town of Midale in the Province of Saskatchewan, pursuant to Section 12 of *The Municipalities Act*, enacts as follows:

1) **SHORT TITLE**

- a) This Bylaw may be cited as the Traffic Bylaw.

2) **DEFINITIONS**

- a) **“administrator”** means the administrator of the municipality;
- b) **“angle parking”** means the parking of vehicles with the right front wheel drawn up to the curb on the right-hand side of the street, 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;
- c) **“all terrain vehicle”** and/or **“atv”** means all terrain vehicle as defined the *All Terrain Vehicles Act*;
- d) **“Council”** means the Council of the Town of Midale;
- e) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- f) **“designated officer”** means the Administrator, Royal Canadian Mounted Police, Sheriff, or any other person appointed to enforce municipal bylaws;
- g) **“e-bike” (power-assisted bicycle)** means a vehicle that is propelled by combined muscular and electrical-assisted power, fitted with pedals that are continually operable to propel it, weighing no more than thirty-five (35) kilograms and does not have sufficient electrical power to attain a sustained speed of greater than thirty-two (32) kilometers per hour on level ground within a distance of two (2) kilometers from a standing start which a person may ride, regardless of the number of wheels it may have;
- h) **“employee”** means an employee of the Town of Midale;
- i) **“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 7,500 kg or more;
- j) **“justice”** means a justice of the peace as per the *Legislation Act*;
- k) **“lug vehicles”** means any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
- l) **“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 street, or at a distance of not more than thirty (30) centimeters from such curb;
- m) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- n) **“place of public assembly”** means schools, theatres, churches, rinks, and halls;
- o) **“power turns”** means to maneuver a vehicle in such a manner as to cause the rear of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking;
- p) **“sidewalks”** means that part of the street intended for use of pedestrians;
- q) **“street”** 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 within the Town of Midale as designated pursuant to the provisions of *The Highways and Transportation Act, 1997*, or any other Act enacted in its stead;
- r) **“speed zone”** means any portion of a street within the Town of Midale, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
 - s) **“Town”** means the Town of Midale;
 - t) **“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;
 - u) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to it by *The Highways and Transportation Act*;

3) **TRAFFIC SIGNS AND TRAFFIC ROUTES**

a) **Installation and Obedience of Signs**

- 1) Town of Midale employees are hereby authorized to install and maintain traffic control devices for the purpose of the control, warning, guidance, information and direction of traffic in conformity with this Bylaw, the Uniform Traffic Control Devices for Canada as distributed by the Transportation Association of Canada or any traffic warrants approved by council.
- 2) Every driver or pedestrian shall obey applicable instructions or directions indicated on any traffic sign or marking installed on any street, public parking lot or park, unless otherwise directed by a law enforcement official.
- 3) Notwithstanding any other provision of the Bylaw, where temporary signs, warning devices, pavement markings, barricades and barriers are placed by the Town, it should supersede any other signage, or parking controls.
- 4) Unless authorized by Council, a person shall not install a sign, signal, marking or any potentially distracting device on or along a street within the Town. An employee may remove, without notice, any such prohibited sign, signal marking or device.
- 5) A person shall not remove, deface or damage any sign or marker put up in accordance with this Bylaw or at the direction of the Town.

b) **Inventory of Signs**

- 1) The Town shall keep an inventory of the location of all permanent traffic control signs.

c) **Heavy Vehicle Routes**

- 1) In this section gross vehicle weight shall mean the same as defined in *The Highways and Transportation Act, 1997*.
- 2) No person shall operate or cause to be operated any vehicle registered with a gross vehicle weight in excess of 5,500 kilograms on any street in the Town, except those streets as listed in Schedule A of this bylaw.
- 3) No person shall operate or cause to be operated any vehicle registered with a gross vehicle weight in excess of 45,000 kilograms on any street in the Town.
- 4) Subsections 3(c)(2) and 3(c)(2) shall not apply to vehicles making deliveries on any street in the Town provided that the operator of the vehicle uses the most direct route to and from the heavy vehicle route, as listed in *Schedule A*.
- 5) Vehicles being operated in the service of the Town or under escort by a marked vehicle operated by a law enforcement official or employee are exempt under this section.

4) **INFRACTIONS**

a) **Parking**

- 1) Except as otherwise provided herein, the parking of vehicles is permitted on all streets within the Town.
- 2) 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;
- 3) Notwithstanding the provisions of subclause 4(a)(2), 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 thirty (30) minutes at one time, unless written permission has first been obtained from the administrator or a special constable of the Town for an extension of such time;
- 4) Every person parking a vehicle upon a street where parking is permitted, shall parallel park their vehicle in the same direction of traffic;
- 5) No person shall park a vehicle on the street in the opposite direction of traffic.
- 6) Every person parking a vehicle upon a street listed in *Schedule B* shall angle park the same.
- 7) No person shall park a vehicle in any “No Parking” area as designated in *Schedule C* at any time whether such areas are marked on the curb or otherwise by signs erected to indicate that parking therein is prohibited.
- 8) No person shall park a vehicle within five (5) meters of any street intersection or fire hydrant.
- 9) No person shall park a vehicle within three (3) meters of any lane intersection.
- 10) No person shall park a vehicle on any sidewalk or boulevard.
- 11) No person shall park a vehicle on any street at one place for any period of time exceeding twenty-four (24) consecutive hours.
- 12) No person shall park a vehicle on any street where there is restricted parking, in accordance with Schedule C.
- 13) 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.
- 14) Subject to subclause 4(a)(15), no person shall park any vehicle designated for carrying or intended for carrying bulk quantity of oil, gasoline, or other flammable, combustible or explosive material, within the Town.
- 15) Nothing in subclause 4(a)(14) 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.
- 16) No person shall park in any parking specifically provided for people with disabilities, unless they have a provincially supplied handicap placard displayed in their vehicle. The handicapped parking spaces will be specifically designated by signage.
- 17) No vehicle, which requires a license plate, shall be parked on a street in permitted areas unless it displays a license plate valid for the current year or a valid permit in lieu thereof.

- b) **Power Turns** – The operator of a vehicle shall not execute “Power Turns” on any street in the Town.

c) **Speed**

- 1) Subject to subclause 4(c)(2), (3), (4) and (5), no person shall operate a vehicle in the Town at a speed greater than forty (40) kilometers per hour.
 - 2) No person shall operate a vehicle on that portion of provincial highway #39 within the Town limits at a speed greater than that established by the Ministry of Highways.
 - 3) No person shall operate a vehicle at a speed greater than thirty (30) kilometers per hour on any street designated in *Schedule D*.
 - 4) No person shall operate a vehicle at a speed greater than fifty (50) kilometers per hour on any street designated in *Schedule E*.
 - 5) No person shall operate a vehicle at a speed greater than fifteen (15) kilometers per hour on any street designated in *Schedule F*.
- d) **U-Turns** – No person shall cause a vehicle to make a U-turn where there are signs indicating “No U-turn”.
- e) **Vehicles on Public Reserves, etc.**
- 1) No person may operate or park a vehicle on any area designated as a Public or Municipal Reserve and listed on *Schedule C*.
 - 2) The provisions of subclause 4(e)(1) shall not apply to maintenance vehicles or vehicles using a designated parking area.
- f) **Snowmobiles** – Under the provisions of Section 21 of *The Snowmobile Act* and subject to all the provisions therein, and to subclause 4(f)(2):
- 1) It shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 10 p.m. on any street except Main Street from Railway Ave. to Macoun Ave., and Provincial Highway No. 39, solely for the purpose of leaving the Town by the most direct route or returning to ones’ residence by the most direct route.
 - 2) Notwithstanding subsection 4(f)(1) of this Bylaw, it shall be lawful to operate a snowmobile on that portion of Main Street and Provincial Highway No. 39 for the purpose of crossing Main Street and Provincial Highway No. 39.
- g) **All Terrain Vehicles (ATV’s)** – Under the provisions of Section 11 of *The All Terrain Vehicle Act*:
- 1) No person shall operate an all terrain vehicle within the boundaries of the Town.
- h) **Pedestrians** – Rules regarding pedestrians will be as outlined in *The Traffic Safety Act*, section 223.
- i) **Bicycles**
- 1) Every cyclist shall operate a bicycle in accordance with the applicable rules of the road as set out in *The Traffic Safety Act*.
 - 2) Cyclists shall drive on the furthest righthand portion of the street.
 - 3) No person shall operate a bicycle:
 - a while carrying more persons than its designed capacity; or
 - b in a reckless or negligent manner.
- k) **E-Bikes**
- 1) E-bikes shall be operated on the furthest righthand portion of the street;
 - 2) No person shall operate an e-bike at a speed that is dangerous or may cause injury to other street users or pedestrians;
 - 3) No person shall operate an e-bike on a sidewalk or through a cross-walk
 - 4) No person shall operate an e-bike while carrying more persons than its designed capacity or in a reckless or negligent manner.

5) IMPOUNDING

- a) In addition to and notwithstanding any provisions contained within Section 5 of this bylaw, any police officer or person appointed as a designated officer pursuant to this bylaw may, without warrant, seize, remove or cause to be removed any vehicle that is parked, placed, left or kept on any street, lane, public parking place or other public place in contravention of any section of this bylaw regulating the parking of vehicles.
- b) The Town may retain a vehicle which has been impounded or stored after it has been removed under subsection 5(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 5(b) have not been paid within a period of thirty (30) days, the Town shall have the right to recover same from the owner of the vehicle by:
 - 1) legal action in a court of competent jurisdiction;
 - 2) sale through public auction; or
 - 3) by private sale of the vehicle.
- d) Prior to the sale of a vehicle which has been impounded or stored under this section, the Town shall provide notice designating the time and place of the sale at least fourteen (14) days prior to the sale by:
 - 1) publishing a notice in a newspaper circulating in the Town;
 - 2) sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - 3) 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 5(c) 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 5(c), 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.

6) REPEAL BYLAWS

- a) Bylaws No. 2009-2 and 2015-03 are hereby repealed upon the date of this bylaw coming into force.

7) COMING INTO FORCE

- a) This Bylaw shall come into force and take effect on the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 8th DAY OF OCTOBER, 2024.

READ A SECOND TIME THIS 8th DAY OF OCTOBER, 2024.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 8th DAY OF OCTOBER, 2024.

Mayor Allan Hauglum

(seal)

Administrator Dena Scott

Schedule A of Bylaw No. 2024-08HEAVY VEHICLE ROUTES [Section 3(c)]

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
South Road (Grid 702)	Grid 702 east	Macoun Ave.
Macoun Ave.	South Road	Grid 606

Schedule B of Bylaw No. 2024-08ANGLE PARKING AREAS [Section 4(b)(6)]

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Main Street	Macoun Avenue	Railway Avenue
Moser Avenue (adjacent to 203 Main Street only)		

Schedule C of Bylaw No. 2024-08“NO PARKING” AREAS [Section 4(b)(7), 4(e)]

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
In the Fire Lane between Civic Centre and Swimming Pool		
Archibald Street Municipal Reserves - MR1 and MR2 Plan 101944829		

Schedule D of Bylaw No. 2024-08SPEED ZONES – Thirty (30) kilometers per hour [Section 4(c)(3)]

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
College Avenue	Park Lane	Montgomery Street

Schedule H of Bylaw No. 2024-08

Summary Offence Tickets

Section	Amount	Bylaw Description
3(c)(2)	\$200.00	Driving off the Heavy Haul Route
3(c)(3)	\$500.00	Driving overweight vehicle within Town limits
4(b)	***	Executing a power turn on a Town street
4(c)	***	Driving in excess of the speed limit
4(f)	\$200.00	Operating a snowmobile in contravention to Section 4(f)
4(g)	\$200.00	Operating an ATV within Town limits
4(k)	\$ 50.00	Improper operation of an E-Bike

*** Penalty as specified in *The Summary Offences Procedure Regulations, 1991*.