

VILLAGE OF LIPTON

BYLAW 04 - 2020

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

The Council of the Village of Lipton 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) “**CAO**” means the CAO 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 Lipton;

(e) “**curb**” means the lateral boundaries of a roadway, whether or not marked by curbing;

(f) “**emergency vehicles**” means ambulance, town truck, fire truck or special constable vehicle;

(g) “**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;

(h) “**justice**” means a justice of the peace as per *The Interpretation Act*, 1995;

(i) “**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;

- (j) "**municipality**" means the Village of Lipton;
- (k) "**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;
- (l) "**parking**" has the meaning ascribed thereto by *The Traffic Safety Act*;
- (m) "**parking lot**" means the area(s) within the Village of Lipton designated for parking of motor vehicles belonging to patrons.
- (n) "**peace officer**" means:
- (i) a member of a police service in Saskatchewan;
 - (ii) a person or class of persons designated by the Lieutenant Governor in Council as traffic officers; or
 - (iii) any person appointed pursuant to *The Police Act, 1990* as a special constable for the enforcement of this Act;
- (o) "**place of public assembly**" means schools, theatres, churches, ice rink, curling rink and halls;
- (p) "**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;
- (q) "**designated officer**" means the CAO, Royal Canadian Mounted Police, Sheriff, Bylaw Enforcement Officer, any Peace Officer in the Province of Saskatchewan or any other person appointed to enforce municipal bylaws;
- (r) "**speed zone**" means any portion of a highway within the Village of Lipton, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (s) "**special constable**" means the Royal Canadian Mounted Police or a person appointed to enforce Municipal Bylaws;
- (t) "**traffic lane**" means longitudinal division of a highway of sufficient width to accommodate the passage of a single line of vehicles.
- (u) "**trailer**" means a vehicle other than a semi trailer unit that is at any time drawn on a highway by a motor vehicle and that is designed for conveyance of goods or as living quarters for persons.
- (v) "**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;

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) **School Bus Flashing Lights:**

- i. Subject to clause 4(d)(ii), the operator of a school bus when operating a school bus on public highways in the municipality shall not activate the safety lights.
- ii. Provisions of clause 4(d)(i) shall not apply at the locations listed in Appendix 3

(e) **Lug Vehicles:**

- i. No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first obtaining from the CAO, a permit in writing authorizing same.
- ii. The CAO is hereby authorized to issue permits in writing for the purpose of clause 4(e)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 4. Provided that the CAO 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 thereon.

- iii. Nothing contained in clause 4(e)(i) 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:

- i. Except as otherwise provided herein, the parking of vehicles are permitted on all highways within the municipality.
- ii. (a) Subject to the provisions of sub clause 4(f)(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(f)(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 thirty (30) minutes at one time, unless written permission has first been obtained from the CAO or a special constable of the municipality for an extension of such time.
- iii. (a) Subject to sub clause 4(f)(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 5 shall parallel park same.
- iv. No person shall park a vehicle in any "No Parking" area as designated in Appendix 6 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(c) to indicate that parking therein is prohibited.
- v. No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.
- vi. No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.
- vii. 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.

viii. (a) Subject to sub clause 4(f)(viii)(b), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or another flammable, combustible or explosive material, within 30 metres from the 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 sub clause 4(f) (viii) (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.

ix. No person shall park a vehicle with a manufacturer's rated capacity in excess of 5,500 kg on any streets or avenues.

x. No person shall park a trailer or any other equipment on any other equipment on any highway whether licensed or not licensed while unattached to a licensed motorized vehicle.

xi. Two parking stalls in front of the Lipton Senior's Center located at 110 Main Street shall be designated for Handicapped Parking Only. Two parking stalls in front of the Lipton Hall located at 1103 Shamrock Avenue shall be designated for Handicapped Parking only.

xii. That no person shall park a vehicle on any boulevards within the town limits.

xiii. No person shall park any vehicles on Municipal sidewalks or walkways.

(g) Power Turns:

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

(h) Snowmobiles:

Under the provisions *The Snowmobile Act* and subject to clause 4(h)(ii):

i. It shall be lawful to operate a snowmobile between the hours of 7:00 a.m. to 11:00 p.m. on any highway except Provincial Highway No. 22 within the limits of the municipality.

ii. Notwithstanding clause 4(h)(i) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Highway No. 22 for the purpose of crossing the Provincial Highway.

- iii. Notwithstanding clause 4(h)(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 (a) 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. 22 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.

(i) Speed:

- i. Subject to clause 4(i) 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 thirty (30) km per hour in the speed zones as set out in Appendix 5.

(j) Weight Restrictions:

- i. 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 6.
- ii. Subject to subsection (1), 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.

- iii. Subsections (1) and (2) shall not apply to vehicles making delivery on any highway in the municipality provided that the operator of the vehicle(s) uses the most direct route from and to the heavy vehicle routes.
- iv. The provisions of *The Highways and Transportation Act* shall apply to the operators of vehicles referred to in subsections (1) and (2).

(k) One-way highway:

Except as otherwise provided herein a person may operate a vehicle in either direction on all highways within the municipality.

(l) Traffic Lane:

No driver of a vehicle shall drive from one traffic lane to another where solid lines exist between lanes on the streets listed in Appendix 10.

(m) All Terrain Vehicles:

- i. The operation of all terrain vehicles is prohibited on:
 - a) The un-travelled portion of the whole or any part of a municipal road, other than a provincial highway, in the municipality;
 - b) Any private land in the municipality;
 - c) Any municipal land in the municipality; and
 - d) Any Crown land in the municipality that is used or occupied otherwise than by the Crown.

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 Parking" areas as listed in Appendix 7, appropriate signs and/or curb markings. Such signs or curb markings shall be visible from that part of the road 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) **Lug Vehicles and Power Turns:**

Any person who contravenes any of the provisions of subsections 4(e)(i) and 4(g) of this bylaw shall be liable on summary conviction to a penalty of:

- i. clause 4(e)(i)-----\$300.00
- ii. subsection 4(g)---\$100.00

(c) **Parking:**

A person who contravenes any of the provisions of subsections (here list all the sections) 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 penalties as follows:

Clause 4(n) (i) \$50.00	Clause 4(f) (viii) \$50.00
Clause 4(f) (ii) \$50.00	Clause 4(f) (ix) \$50.00
Clause 4(f) (iii) 50.00	Clause 4(f) (x) \$50.00
Clause 4(f) (iv) 50.00	Clause 4(f) (xi) \$50.00
Clause 4(f) (vi) \$50.00	Clause 4(f) (xii) \$50.00
Clause 4(f) (v) \$50.00	Clause 4(f) (xiii) \$50.00
Clause 4(f) (vii) \$50.00	

(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

(f) **All Terrain Vehicle Contravention**

The penalty for the contravention of section 4 (m) shall be liable to the penalty imposed by section 32 of *The All Terrain Vehicles Act*. In which states a

fine of not more than \$1,000.00 or imprisonment term of not more than 30 days for violation of any municipal bylaw or the *ATV Act*.

(g) All Other Contravention of Bylaw No. 04-2020

The penalties for these and other traffic violations other than parking under *The Traffic Safety Act*, *The Snowmobile 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.

(i) Weight Restrictions-Truck Route Contravention

i. A person who contravenes the provision of subsections 3(1) and (2), is guilty of an offence and liable on summary conviction to a penalty of not more than \$200.00 for the first offence and not more than \$500.00 for each subsequent offence.

ii A further penalty shall be imposed as follows:

a) Three dollars for each 50 kg or fraction thereof in excess of 1,000 kg that the actual gross weight exceeds the prescribed maximum gross weight allowable; and

b) Five dollars for each 50 kg or fraction thereof in excess of 1,000 kg that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kg or two per cent of the maximum gross weight fixed by this bylaw, whichever is the lesser, shall not be taken into account.

c) In each instance, the total fine shall not exceed the maximum provided for in the general penalty bylaw of the municipality.

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 another public place;

2. Is unlawfully parked pursuant to clause 4(f)(vii) 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 2018-08, A Bylaw to Regulate the Operation & Parking of Vehicles and the use of the Highways.

9. **COMING INTO FORCE**

This bylaw shall come into force and effect on the day of its final passing.



Mayor
CAO

Read a third time and adopted
This 12th day of February, 2020.

APPENDIX 1
of Bylaw No. 04-2020

"STOP" STREETS [section 4(a)]

<u>STREET OR AVENUE</u>	<u>WHERE INTERSECTED BY STREET / AVENUE</u>
1. WATSON STREET	RAILWAY AVENUE
2. MAIN STREET	RAILWAY AVENUE
3. MAIN STREET	SHAMROCK AVENUE
4. MAIN STREET	ERIN AVENUE

APPENDIX 2
of Bylaw No. 04-2020

"YIELD" STREETS [section 4(b)]

<u>STREET OR AVENUE</u>	<u>WHERE INTERSECTED BY STREET / AVENUE</u>
1. MILLER STREET	SHAMROCK AVENUE
2. PATRICK STREET	SHAMROCK AVENUE
3. WATSON STREET	SHAMROCK AVENUE
4. WATSON STREET	ERIN AVENUE
5. FIFE STREET	SHAMROCK AVENUE
6. FIFE STREET	ERIN AVENUE
7. CEYLON STREET	SHAMROCK AVENUE

APPENDIX 3
of Bylaw No. 04-2020

“SCHOOL BUS FLASHING LIGHTS” [section 4(d)]

STREET OR AVENUE

FROM

TO

ERIN AVENUE

OSIDGE STREET

WATSON STREET

APPENDIX 4
of Bylaw No.04-2020

FORM 1
“PERMIT FOR OPERATION OF LUG VEHICLE” [section 4(e)(ii)]

NAME:

ADDRESS:

TYPE OF VEHICLE:

ROUTE:

DEPOSIT:

I declare that:

(1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.

(2) 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 and should extend a minimum of 300 mm wider on each side than the maximum outside width of the lugs; 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 that they will support the wheels or tread of the lug vehicle on both sides thereof throughout its entire passage over such bridge or culvert.

(3) 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.

(4) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.

(5) I understand that all municipal bridges have secondary weight limitations unless posted otherwise and I will ensure that I comply with any and all weight restrictions.

Owner/Operator

APPENDIX 5
of Bylaw No.04-2020

"SPEED ZONES" - SCHOOLS - PLAYGROUND [section 4(i)(ii)]

STREET OR AVENUE

FROM

TO

ERIN AVENUE

OSIDGE STREET

WATSON STREET

APPENDIX 6
of Bylaw No.04-2020

"Heavy Truck Route" [section 4(j)(i)]

<u>STREET OR AVENUE</u>	<u>FROM</u>	<u>TO</u>
RAILWAY AVE.	OSIDGE	ERIN AVE.
RAILWAY AVE.	WATSON ST.	ERIN AVE.
RAILWAY AVE.	MAIN ST.	
RAILWAY AVE.	FIFE ST.	SHAMROCK AVE.
RAILWAY AVE.	BOUNDARY ST.	

APPENDIX 7
of Bylaw No.04-2020

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

<u>STREET OR AVENUE</u>	<u>FROM</u>	<u>TO</u>
ERIN AVENUE	OSIDGE STREET	WATSON STREET
MAIN STREET	110 MAIN STREET	110 MAIN STREET
WATSON STREET	306 WATSON STREET	306 WATSON STREET

APPENDIX 8
of Bylaw No. 04-2020
Form 2

“NOTICE OF VIOLATION” [section 5(d)(ii)]

<p>Village of Lipton 210 Main Street, P.O. Box 219 Lipton, SK S0G 3B0 Tel: 306-336-2505 Fax: 306-336-0508 Email: lipton@sasktel.net</p> <hr/> <p style="text-align: center;">WARNING</p> <hr/>
FOR BREACH OF:
BYLAW: _____ SECTION: _____
DATE ISSUED: _____
TIME: _____
OFFENCE: _____ _____
LOCATION: _____
DETAILS: _____ _____ _____
VEHICLE DESCRIPTION: _____ _____
LICENCE PLATE #: _____
DATE OF PROPERTY REINSPECTION: _____
<small>If this violation is not in compliance by this date, an Order to Remedy will be served.</small>
NAME: _____
ADDRESS: _____
WARNING#: <u>041</u>
<hr/> Bylaw Enforcement Officer
Hand Delivered _____ Posted _____ Regular Mail _____