

Traffic Bylaw

RURAL MUNICIPALITY OF PONASS LAKE NO. 367

BYLAW NO. 13/13

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

The Council of the Rural Municipality of Ponass Lake No. 367 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) “**administrator**” means the administrator of the municipality;
 - (b) “**all terrain vehicle**” and/or “**ATV**” means all terrain vehicle as defined in *The All Terrain Vehicles Act*;
 - (c) “**council**” means the council of the Rural Municipality of Ponass Lake No. 367;
 - (d) “**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*;
 - (e) “**justice**” means a justice of the peace as per *The Interpretation Act, 1995*;
 - (f) “**municipality**” means the Rural Municipality of Ponass Lake No. 367;
 - (g) “**parking**” has the meaning ascribed thereto by *The Traffic Safety Act*;
 - (h) “**designated officer**” means the Administrator, Royal Canadian Mounted Police, Sheriff or any other person appointed to enforce municipal bylaws;
 - (i) “**speed zone**” means any portion of a highway within the Rural Municipality of Ponass Lake No. 367, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
 - (j) “**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) Snowmobiles:

Under the provisions *The Snowmobile Act*:

- i. it shall be lawful to operate a snowmobile at all hours on any public road or highway within the limits of the municipality.
- ii. This bylaw shall not apply to any provincial highway as defined in *The Highways and Transportation Act, 1997*.

(e) Speed:

- i. Subject to clause 4(e) ii no person shall operate a vehicle in the municipality at a speed greater than eighty (80) km per hour.
- ii. No person shall operate a vehicle at a speed greater than posted on the maximum speed allowed signs erected in the speed zones as set out in Appendix 3.

(f) All Terrain Vehicles:

Under the provisions of Section 9 of *The All Terrain Vehicles Act*:

- i. it shall be lawful to operate an all terrain vehicle at all hours on any public road or highway within the limits of the municipality.
- ii. This bylaw shall not apply to any provincial highway as defined in *The Highways and Transportation Act, 1997*.

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 speed zone areas listed in Appendix 3, appropriate maximum speed allowed signs at the point of entry or commencement of the speed zone area, so placed to face the traffic approaching the speed zone.

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) Notice of Violation:

- i. A violator of any of the subsections of this bylaw, as set out in subsection 6(a) upon being served with a Notice of Violation, may during the regular office hours, voluntarily pay the penalty at the municipal office within 14 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 4, attached to and forming part of this bylaw

(c) Speed, Failing to Stop, Failing to Yield etc.

The penalties for these and other traffic violations under *The Traffic Safety Act*, *The Snowmobile Act* and *The ATV Act* shall be liable to the penalties imposed by *The Summary Offences Procedure Act* and/or any other applicable legislation.

7. IMPOUNDING

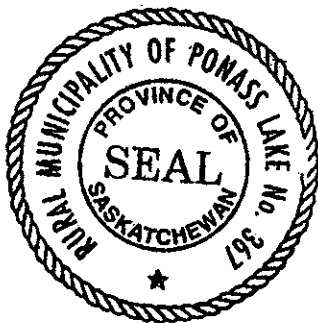
- (a) In addition to and notwithstanding any provisions contained within Section 6 hereof, any person appointed as a designated officer pursuant to this bylaw:
- i. may remove or cause to be removed any vehicle that is unlawfully placed, left or kept on any street or other public place;
 - ii. and seize, 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 costs incurred in removing and impounding or storing the vehicle have been paid, and upon payment of said costs the vehicle shall be released to the owner.
- (c) If the costs described in subsection 7(b) have not been paid within a period of 30 days, 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.
- b. 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 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.
- c. The proceeds from such sale shall be applied firstly on the costs described in subsection 7(b) and the balance remaining, if any, shall be paid to the owner.
- d. If the proceeds from such sale are insufficient to satisfy the 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 Nos. 12/74, 4/85, 4/89, 3/97, 2/03 and 2/04 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.



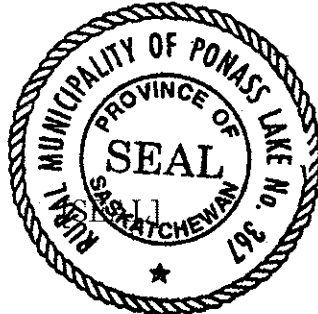
Reeve

Shirley Stewart
 Administrator
 (Section 8 *The Municipalities Act*)

Certified a true copy of Bylaw No. 13/13
 adopted by resolution of Council at the
 December 12, 2013 regular meeting of Council.

Reeve

Shirley Stewart
 Administrator



APPENDIX 1
of Bylaw No. 13/13

"STOP" ROADS [section 2(a)]

<u>LOCATION OF INTERSECTION</u>	<u>SIDE OF ROAD</u>	<u>DIRECTION FROM INTERSECTION</u>	<u>FACING TRAFFIC FROM</u>
1. SE 24-37-14 W2	West	North	North
2. NE 21-37-15 W2	South	West	West
3. SW 27-37-15 W2	North	East	East
4. NW 34-37-15 W2	East	South	South
5. NW 22-38-13 W2	East	South	South
6. SE 28-38-13 W2	West	North	North
7. SE 04-38-15 W2	West	North	North
8. NE 07-38-15 W2	South	West	West
9. SW 17-38-15 W2	North	East	East
10.NE 21-38-15 W2	South	West	West
11.SE 14 39-13 W2	West	North	North
12.SW 17-39-14 W2	North	East	East
13.NW 23-39-14 W2	East	South	South
14.SW 18-39-15 W2	North	East	East
15.NE 12-39-16 W2	South	West	West

//

APPENDIX 2
of Bylaw No. 13/13

"YIELD" ROADS [section 2(b)]

<u>LOCATION OF INTERSECTION</u>	<u>SIDE OF ROAD</u>	<u>DIRECTION FROM INTERSECTION</u>	<u>FACING TRAFFIC FROM</u>
1. SE 17-37-13 W2	West	North	North
2. NE 21-37-13 W2	West	North	North
3. NW 34-37-13 W2	East	South	South
4. SW 01-37-14 W2	North	East	East
5. NW 07-37-14 W2	East	South	South
6. NW 10-37-14 W2	East	South	South
7. NW 13-37-14 W2	East	South	South
8. NW 15-37-14 W2	East	South	South
9. NW 18-37-14 W2	South	West	West
10.SW 18-37-14 W2	East	South	South
11.SE 20-37-14 W2	West	North	North
12.SE 22-37-14 W2	West	North	North
13.SE 23-37-14 W2	West	North	North
14.NW 31-37-14 W2	East	South	South
15.NW 35-37-14 W2	East	South	South
16.NW 36-37-14 W2	East	South	South
17.NW 10-37-15 W2	East	South	South
18.NW 11-37-15 W2	East	South	South
19.SE 13-37-15 W2	West	North	North
20.SE 15-37-15 W2	West	North	North
21.SE 16-37-15 W2	West	North	North
22.NW 33-37-15 W2	East	South	South
23.NW 35-37-15 W2	East	South	South
24.SE 04-38-13 W2	West	North	North
25.SE 26-38-13 W2	West	North	North
26.SE 01-38-14 W2	West	North	North
27.SE 02-38-14 W2	West	North	North
28.SW 03-38-14 W2	West	North	North
29.NE 21-38-14 W2	South	West	West
30.NE 23-38-14 W2	East	South	South
31.NE 24-38-14 W2	East	South	South
32.SE 26-38-14 W2	West	North	North
33.SE 27-38-14 W2	West	North	North

34.NW 31-38-14 W2	East	South	South
35.NW 34-38-14 W2	East	South	South
36.SE 05-38-15 W2	West	North	North
37.SE 06-38-15 W2	West	North	North
38.NE 09-38-15 W2	South	West	West
39.NW 34-38-15 W2	East	South	South
40.SE 06-39-13 W2	West	North	North
41.NW 10-39-13 W2	East	South	South
42.NW 12-39-13 W2	East	South	South
43.SE 13-39-13 W2	West	North	North
44.SE 17-39-13 W2	West	North	North
45.NW 21-39-13 W2	East	South	South
46.NE 23-39-13 W2	South	West	West
47. NW 24-39-13 W2	East	South	South
48.SE 29-39-13 W2	West	North	North
49. SE 03-39-14 W2	West	North	North
50.SE 04-39-14 W2	West	North	North
51.SE 06-39-14 W2	West	North	North
52.NE 07-39-14 W2	South	West	West
53.NE 09-39-14 W2	South	West	West
54.NE 15-39-14 W2	South	West	West
55.NE 19-39-14 W2	South	West	West
56.NW 24-39-14 W2	East	South	South
57.SE 26-39-14 W2	West	North	North
58.SE 27-39-14 W2	West	North	North
59.SW 29-39-14 W2	North	East	East
60.SW 03-39-15 W2	West	North	North
61.NW 10-39-15 W2	East	South	South
62.NW 11-39-15 W2	East	South	South
63.SE 13-39-15 W2	West	North	North
64.SE 15-39-15 W2	West	North	North
65. SE 16-39-15 W2	West	North	North
66.SE 01-39-16 W2	West	North	North
67. NE 24-39-16 W2	South	West	West

//

APPENDIX 3
of Bylaw No. 13/13

"SPEED" ZONES [section 4(e)(ii)]

<u>LOCATION</u>	<u>COMMENCING/ ENDING</u>	<u>COMMENCING/ ENDING</u>	<u>MAXIMUM SPEED ALLOWED</u>
Hamlet of St. Front	All Street within		40 km/hr
Rose Valley Subdivision	N of NE 20-38-13 W2	Highway #35	40 km/hr
Script	350 meters west of edge of right-of-way NE of the NE 33-37-15 W2	250 meters east of edge of right-of-way SW of the SW 03-38-15 W2	50 km/hr

//

Form 2

APPENDIX 4
of Bylaw No. 13/13

NOTICE OF VIOLATION [section 6(b)(ii)]

Rural Municipality of Ponass Lake No. 367

NAME: _____
ADDRESS: _____
POSTAL CODE: _____

On the day of , 20 , at/near , Saskatchewan at a.m/p.m

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

- | | | |
|---|---------|-----------------|
| • | Parking | Bylaw No. _____ |
| • | Dog | 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

Designated Officer

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 of 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.