

VILLAGE OF KENASTON

BYLAW NO 5/21

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

The Council of the Village of Kenaston in the Province of Saskatchewan enacts as follows (may also be referred to as the Traffic Bylaw):

1. INTERPRETATION

- (a) "Administrator" means the administrator of a village;
- (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 highway, or at a distance of not more than thirty (30) centimetres from such curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- (c) "curb" means the lateral boundaries of a roadway, whether or not marked by curbing;
- (d) "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 4.5 tonnes or more;
- (e) "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 Highways and Transportation Act, 1997*;
- (f) "lug vehicle" means any truck, portable engine or traction engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
- (g) "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 the curb;
- (h) "place of public assembly" means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls;
- (i) "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 braking, and
- (j) "speed zone" means any portion of a highway within the Village of Kenaston as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (k) "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;
- (l) "vehicle" means a vehicle or a motor vehicle as ascribed to it by *The Vehicle Weight and Dimension Regulations, 2010*;
- (m) "loading zone" means that portion of a public highway adjacent to the curb designed by signs and/or markings for the exclusive use of vehicles loading and unloading passengers or goods.

2. SCOPE

- (a) "STOP" STREET AND FOUR WAY "STOP"  
The highways as listed in Appendix 1 are designated as "Stop" streets.
- (b) "YIELD" STREETS  
The highways as listed in Appendix 1 are designated as "Yield" streets.

3. INFRACTIONS

- (a) "STOP" STREETS  
The provisions of *The Highways and Transportation Act, 1997* shall apply to all traffic approaching and facing a "stop" sign erected and maintained in accordance with the provisions of section 4(a).

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(b) "YIELD" STREETS

The provisions of *The Highways and Transportation Act, 1997* 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 of any advertising sign or device.

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

(d) LUG VEHICLES

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

(2) The Administrator is hereby authorized to issue permits in writing for the purpose of sub-clause (c)(1) of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 2. Provided that the clerk shall not issue any such permit unless he is satisfied that with reasonable care in operating 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 sub-clause (d)(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.

(e) 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 Administrator or a police officer of the municipality for an extension of such time limit.

(3) (a) Subject to subsection (b), 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 3 shall angle park same.

(4) No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.

(5) No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.

(6) 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 of private property, except with the consent of such owner, occupant, licensee or permittee.

(7) (a) Subject to subsection (b), no person shall park any commercial vehicle designed for carrying or intended for the carrying of oil, gasoline or other inflammable, combustible or explosive material, within 30 metres 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 vehicle for such period of time as may be necessary to take on or discharge cargo.

(8) No person shall park a truck with a manufacturer's rated capacity in excess of 8 tonne on any streets or avenues designated in Appendix 4.

(f) POWER TURNS

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

(g) SPEED

(1) Subject to subsection (2), no person shall operate a vehicle in the municipality at a speed greater than forty (40) kilometres per hour.



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(2) No person shall operate a vehicle at a speed greater than thirty (30) kilometres per hour in the speed zones as set out in Appendix 5.

(i) U-TURNS

No person shall cause a vehicle to make a U-Turn between intersections, and at the intersection of a highway with a lane or an alley in the municipality.

(j) WEIGHT RESTRICTION – TRUCK ROUTES

(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 thirty-five (35) tonnes on or over any public highways. Any load under this weight must use truck route as listed in Appendix 6.

(2) Subsections (1) and (2) shall not apply to:

- a. Loraas Disposal supplying services;
- b. Emergency vehicles;

(3) The provisions of *The Police Act* and *The Highways and Transportation Act, 1997* shall apply to the operators of vehicles referred to in subsections (1) and (2).

(k) BICYCLES

(1) No person shall operate a bicycle without having at least one hand on the handle bar.

(2) No person shall operate a bicycle on a sidewalk.

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) metres from point of intersection, an appropriate sign containing the word "STOP", so placed to face traffic approaching the intersection.

(b) Council shall cause to be erected and maintained at all stop streets listed in Appendix 1, at a distance of approximately three (3) metres from point of intersection, an appropriate sign containing the word "YIELD", so placed to face traffic approaching the intersection.

(c) 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 or liable on summary conviction to the penalties provided in the General Penalty Bylaw of the municipality.

(b) Any person who contravenes any of the provisions of subsections 3(d)(1) and 3(f) of this bylaw shall be liable on summary conviction to a penalty of:

- a. Section No. 3(d)(1) ..... \$50.00
- b. Section No. 3(f) ..... \$50.00

(c) (1) A person who contravenes any of the provisions of subsections 3(e), (2), (3), (4), (5), (6), (7) and (8) and 3(i) of this bylaw or 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 penalties as follows:

- a. Section No. 3(e) (2), (3), (4), (5) (6) (7) and (8)..... \$20.00
- b. Section No. 3(i) .....\$20.00

(2) A violator of the sections of this bylaw, as set out in subsection (1) upon being served with a Notice of Violation, may, during the regular office hours, voluntarily pay the penalty at the municipal 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 7, attached to and forming part of this bylaw.

(d) (1) A person who contravenes the provisions of subsections 3(j), (1) and (2), is guilty of an offence and liable on summary conviction to a penalty of not less than \$25.00, 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 (\$3) for each 50 kilograms or fraction thereof for the first 1000 kilograms in excess of the prescribed maximum gross weight allowable; and

(b) five dollars (\$5) for each 50 kilograms or fraction thereof in excess of 1000 kilograms that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kilograms or two per cent (2%) of the maximum gross weight fixed by this bylaw, whichever is the lesser, shall not be taken into account.

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

(e) The penalty for the contravention of section 3(k) is as follows:

- (1) for the first infraction impounding the bicycle for seven (7) days;
- (2) for the second or additional infractions impounding the bicycle for fourteen (14) days.

6. IMPOUNDING

(a) 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.

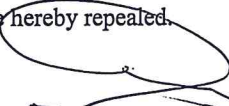
(b) Where a vehicle has been impounded or stored after it has been removed under subsection (1), it may be retained at a place designated by council for a period of thirty (30) days from date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.


(c) If the costs of removal, impounding and storage are not paid within the period of thirty (30) days as specified in subsection (2), 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 by public auction on publication of a notice designating the time and place of sale at least ten (10) 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. Bylaw numbers 4/12 and 5/12 are hereby repealed.



  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Administrator

Subsection 285 The Municipalities Act

APPENDIX 1 of Bylaw No. 5/21  
(see also attached map labeled Appendix 1)  
"STOP" AND "YIELD" STREETS (Section 2(a))

STOP STREETS

<u>STREET OR AVENUE OR AVENUE</u>	<u>WHERE INTERSECTED BY STREET OR AVENUE</u>
First Street	Front Avenue
Second Street	Front Avenue
Third Street	Front Avenue
Fourth Street	Front Avenue
Fifth Street	Front Avenue
Third Avenue	Third Street
Fourth Avenue	Third Street
Fifth Avenue	Third Street
Sixth Avenue	Third Street
Central Avenue	Third Street
Sixth Avenue	Fourth Street

FOUR WAY STOPS

<u>STREET OR AVENUE</u>	<u>WHERE INTERSECTED BY STREET OR AVENUE</u>
Second Street	Fourth Avenue
Second Street	Sixth Avenue
Third Street	Fourth Avenue
Fourth Street	Third Avenue
Fourth Street	Fifth Avenue

YIELD STREETS (Section 2(b))

<u>STREET OR AVENUE</u>	<u>WHERE INTERSECTED BY STREET OR AVENUE</u>
First Street	Fifth Avenue
First Street	Sixth Avenue
First Street	Central Avenue
Fourth Avenue	Second Street
Fifth Avenue	Second Street
Sixth Avenue	Second Street
Central Avenue	Second Street
Fourth Avenue	Fourth Street
Central Avenue	Fourth Street

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APPENDIX 2 OF Bylaw No. 5/21  
FORM 1

PERMIT FOR OPERATION OF LUG VEHICLE (section 3(d))

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, without first laying down on such bridge or culvert planks or timbers of not less than 5 cm in thickness or less than 4 metres in length, 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.

\_\_\_\_\_  
Owner/Operator

*[Handwritten marks]*

APPENDIX 3 of Bylaw No. 5/21

ANGLE PARKING AREAS (section 3(e)(3)(b))

M-11 (a)

<u>STREET OR AVENUE</u>	<u>FROM</u>	<u>TO</u>
Both sides of Third Street	Front Avenue	Central Ave
South East side of Third Street	Central Avenue	Fifth Avenue
North West side of Fourth Street	Fifth Avenue	Sixth Avenue
South West side of Fifth Avenue	Fourth Street	85 Meters southeasterly of Fourth St
North East side of Sixth Avenue	Fourth Street	40 Meters northwesterly of Fourth St
South west side of Sixth Avenue	Fourth Street	Fifth Street
North east side of Central Avenue	Third Street	Fourth Street

APPENDIX 4 of Bylaw No. 5/21

NO PARKING AREAS Section

The portion of the south west side of Front Avenue that lies between the extended lateral boundaries of Third Street.

The portion of the north west side of Fourth Street that lies between the north corporate boundary and a point 40 meters to the south west.

NO PARKING AREAS (Heavy Vehicles) Section 3(e)(8)

<u>STREET OR AVENUE</u>	<u>FROM</u>	<u>TO</u>
Third Street	Front Avenue	Third Avenue

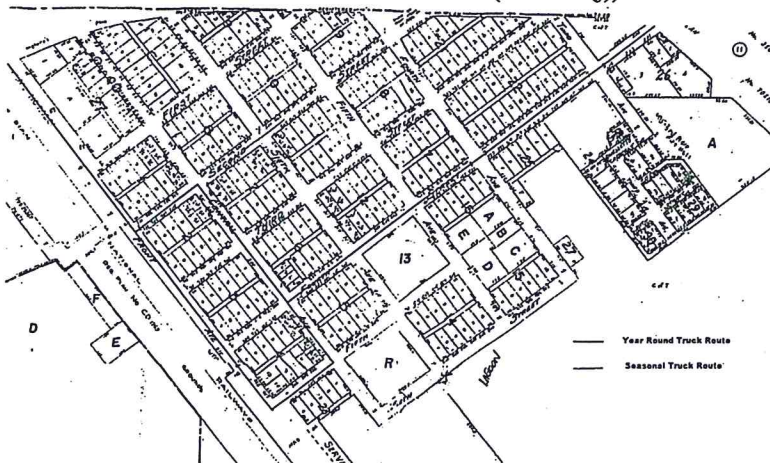
APPENDIX 5 of Bylaw No. 5/21

SPEED ZONES  
30 km per hour

<u>STREET OR AVENUE</u>	<u>FROM</u>	<u>TO</u>
Third Street	Fifth Avenue	Sixth Avenue
Fourth Street	Fifth Avenue	Sixth Avenue
Fifth Avenue	Fourth Street	100 Meters southeasterly of Fourth Street
Sixth Avenue	Fourth Street	Fifth Street

APPENDIX 6 of Bylaw No. 5/21

WEIGHT RESTRICTIONS (section 3(j))



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NOTICE OF VIOLATION

VILLAGE OF KENASTON

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

POSTAL CODE: \_\_\_\_\_

DETAILS OF OFFENCE:

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ A.M.  
P.M.

LICENCE NO. \_\_\_\_\_

VIOLATION:

Parking \_\_\_\_\_ Bylaw No. /21 Section 3(e)  
Other \_\_\_\_\_ Bylaw No. /21 Section \_\_\_\_\_

DESCRIPTION OF VIOLATION:

\_\_\_\_\_  
\_\_\_\_\_

LOCATION OF VIOLATION:

\_\_\_\_\_  
\_\_\_\_\_

You are charged with violation of Bylaw No. 5/21 Section(s)

\_\_\_\_\_

Penalty for the above violation:

\_\_\_\_\_

\_\_\_\_\_  
Special Constable or Appointed Designate

Where the penalty for the above violation is \$20 or less, you may make voluntary payment of the above penalty at the municipal office of the Village of Kenaston during regular office hours or by mail within 3 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.