

TOWN OF EATONIA

BYLAW NO. 14/13

A BYLAW OF TO REGULATE TRAFFIC IN THE TOWN OF EATONIA

The Council of the Town of Eatonia, in the Province of Saskatchewan, enacts as follows:

SECTION I – SHORT TITLE, APPLICATION AND INTERPRETATION:

Short Title

1 This Bylaw may be cited as the “The Traffic Bylaw”.

Application

2 All of the provisions and enactments set forth in this Bylaw relate to and be in full force and effect within the limits of the Town of Eatonia.

Interpretation

3 In this Bylaw, unless the context otherwise requires, the expression(s)

- (a) “**Act**” shall mean *The Traffic Safety Act, Chap. T-18,1* and amendments thereto.
- (b) “**Administrator**” shall mean the Town Administrator of the Town of Eatonia.
- (c) “**Angle Parking**” shall mean the parking of vehicles with the right front wheel drawn up on the right-hand side of the highway, or 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.
- (d) “**Bicycles**” shall mean a vehicle for the carriage of persons, which is propelled by human power, having two tandem wheels, and including any devise adapted from a bicycle by any addition of one or more wheels.
- (e) “**Boulevard**” shall mean that portion of a street located between the sidewalk and the adjacent street whether with a curb or not, or that portion of a street located between the sidewalk and the street line.
- (f) “**Bus Stop**” shall mean that portion of a street designated by a sign or curb marking for use by the Town of Eatonia for the purpose loading and unloading bus passengers.
- (g) “**Bylaw Enforcement Officer**” shall mean the Bylaw Enforcement Officer appointed or Council designated for the Town of Eatonia.
- (h) “**Council**” shall mean the Council of the Town of Eatonia.
- (i) “**Curb**” shall mean the dividing line of the highway between that part of the highway between that part of the highway intended for use of vehicles and that part of the highway not so intended, whether marked with a curb or not.
- (j) “**Dangerous Goods**” shall mean any product, substance or organism included by its nature or by the regulations in the schedule to the Transportation of Dangerous Goods Act (Canada).
- (k) “**Disabled Person’s Parking Area**” shall mean all that portion of any street or other public place or public parking lot that has been designated by sign or other marking for the exclusive parking of disabled person’s vehicle.

- (l) **“Disabled Person’s Vehicle”** shall mean any vehicle which displays a special license plate or placard depicting thereon the international symbol of the disabled issued by the Province of Saskatchewan or other competent governmental jurisdiction.
- (m) **“Driver”** (passengers excluded) includes the rider of a bicycle, motorcycle and also the operator of a vehicle.
- (n) **“Double Parking”** shall mean the standing of a vehicle whether occupied or not parallel to a vehicle parked beside the curb for any reason other than delay due to traffic signs or signals.
- (o) **“Engineer”** shall mean a member of the engineering department for the Town of Eatonia.
- (p) **“Heavy Vehicle”** shall mean a vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tons or more.
- (q) **“Highway”** shall mean a road, parking, 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 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 municipalities as designated pursuant to the provisions of *The Traffic Safety Act*.
- (r) **“Impound”** shall mean and includes the seizure, removal and detention of a vehicle.
- (s) **“Intersection”** shall mean the area where two or more streets meet or cross each other but does not include a lane intersection.
- (t) **“Lane”** shall mean a public highway intended primarily to give access to the rear of property.
- (u) **“Lane Crossing”** shall mean that portion of a sidewalk within the boundaries of the lane projected.
- (v) **“Lane Intersection”** shall mean that area where a lane meets street or highway.
- (w) **“Loading Zone”** shall mean the portion of a street adjacent to the curb designated by signs and/or markings for the exclusive use of vehicle loading or unloading passengers or goods.
- (x) **“Lug Vehicle”** shall mean 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 a metal track tread.
- (y) **“Municipality”** shall mean the Town of Eatonia.
- (z) **“Operator”** shall mean a person who drives a vehicle on a public highway and shall include a person leading, riding or driving one or more horses.
- (aa) **“One-way highway”** shall mean highway as ascribed to it by *The Highway Traffic Act*.
- (bb) **“Owner”** includes a person who is in possession of a snowmobile under a contract by which he may become the owner of the snowmobile upon full compliance with the terms of the contract.

- (cc) **“Parade”** shall mean any procession or body of pedestrians numbering more than twenty, standing, marching or walking on any street or sidewalk, or any group of vehicles numbering ten or more (except Funeral Processions) standing or moving on any street.
- (dd) **“Parallel Parking”** shall mean 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) centimeters from such.
- (ee) **“Parking Area”** shall mean a portion of a street or an area indicated by signs or markings or parking meters as a place to park.
- (ff) **“Pedestrian”** shall mean a person traveling on foot; a walker and includes an invalid in a wheelchair.
- (gg) **“Pedestrian Crosswalks”** shall mean that portion of a public highway designated by signs and/or markings for the use of pedestrians to cross a public highway or where there are no signs or markings, shall mean that portion of a highway within the prolongation of the lateral boundaries of the adjacent or intersection, sidewalks at the end of a block, provided that where traffic is controlled at an intersection of a public highway by traffic signals.
- (hh) **“Person”** shall mean a corporation or partnership as well as a man, women or child.
- (ii) **“Peace Officer”** shall mean a Member” as defined in *The Police Act, 1990* and *The Summary Offences Procedure Act, 1990*.
- (jj) **“Power turn”** shall mean 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 breaking.
- (kk) **“Public Place”** shall mean any place to which the public has access as of right or by invitation. Express or implied, and without restricting the generality of the foregoing, includes Eaton School, and all other boulevards, parks, playgrounds and public reserve, or any property owned or controlled by the Town of Eatonia.
- (ll) **“Recreational vehicle”** shall mean a self-propelled or towed vehicle type unit, primarily designed as temporary living quarters for recreational, camping or travel use and which is used solely as a family or personal conveyance and in no way used for a commercial purpose. Without limiting the foregoing, recreational vehicles include:
 - (1) travel trailer;
 - (2) cabin trailer;
 - (3) tent trailer;
 - (4) truck camper;
 - (5) motor home;
 - (6) park trailer; and
 - (7) fifth-wheel travel trailer.
- (ii) **“Road Maintenance Equipment”** includes sanding trucks, snow blowers, street sweeper, deicers, asphalt sprayers, patching equipment and other similar equipment operated by an employee or agent of the town while actually engaged in road maintenance.
- (jj) **“School Bus”** shall mean a motor vehicle designed for the conveyance of school children and other people. For the purpose of this Bylaw where the term “Truck” is used, it shall be deemed to include “School Bus”.
- (kk) **“School Speed Zone”** shall mean that portion of a street designated by a sign or signs for the control of traffic adjacent to or in close proximity to a school.

- (ll) **“Scooter”** shall mean a motorized vehicle designed to be ridden by one person, which is principally for the purpose of transportation of handicapped, disabled or elderly people.
- (mm) **“Semi-trailer”** shall mean a semi-trailer as defined in *The Traffic Safety Act*.
- (nn) **“Sidewalk”** shall mean that portion of a street used exclusively for pedestrians.
- (oo) **“Sidewalk Crossing”** shall mean that portion of a sidewalk permanently improved or designated for the passage of vehicular traffic.
- (pp) **“Snowmobile”** shall mean a snowmobile as defined in *The Snowmobile Act*.
- (qq) **“Speed Zone”** shall mean any portion of a highway within the Town of Eatonia as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto.
- (rr) **“Stop”** shall mean:
 - (i) When required, a complete cessation from movement and;
 - (ii) When prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or traffic control signal.
- (ss) **“Street or Avenue”** shall mean any street or public highway within the municipality, but does not include a provincial highway therein as designated pursuant to the provisions of *The Traffic Act*.
- (tt) **“Town”** shall mean the Town of Eatonia, in the Province of Saskatchewan.
- (uu) **“Traffic”** shall mean pedestrians, ridden animals, vehicles, buses, and other conveyances either singly or together while using any highways.
- (vv) **“Traffic Sign”** shall mean any signal (other than traffic signals), marking or other device placed, painted, or erected for the guidance, regulation, warning, direction, or prohibition of traffic.
- (ww) **“Trailer”** shall mean a “trailer” as defined by *The Traffic Safety Act, Chap. T2.1.*
- (xx) **“U-turn”** shall mean the turning of a vehicle so as to cause it to proceed in the opposite direction from which it was proceeding immediately prior to a commencement of such turn.
- (xx) **“Vehicle”** shall mean a “vehicle” as defined by *The Traffic Safety Act, Chap. T2.1.*

(1) Definition:

Other words and expressions used in this Bylaw shall have the same meaning as given them in the Act.

(2) Gender:

Except where the context otherwise required, all references in the masculine gender shall also be deemed to include the feminine gender.

(3) Validity:

If any section, clause or provisions of this Bylaw is for any reason declared by a court of competent jurisdiction to be valid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause, or provisions so declared to be valid.

SECTION II STOPPING, STANDING AND PARKING:

No Stopping

- 1) No operator of a vehicle shall stop such vehicle in any of the following places, except when necessary to avoid collision or conflict with each other traffic or in compliance with the directions of a Peace Officer or traffic sign or signal:
 - (a) On the driving lane of any street
 - (b) Within an intersection
 - (c) On a sidewalk
 - (d) On a crosswalk
 - (e) On a boulevard
 - (f) Within four and one-half (4.5 m) meters of the driveway entrance to any fire station.

Stopping by Hydrants

2. Notwithstanding the provisions of Section II, any vehicle may use the space in front of a hydrant for loading and unloading provided an operator remains at the control of the said vehicle at all times ready to move the said vehicle when required.

Method of Parking

3. (a) Except when necessary in obedience to traffic regulations or traffic signs or signals, unless otherwise instructed, no operator of a vehicle shall park such vehicle on a street other than parallel with the curb and with the right side wheels of the vehicle not more than one (1) meter from the curb and within the limits of the designated parking stall, and where there is no curb, with the right side wheels as near to the right hand of the street as is practical,
 - (b) Every person parking a vehicle upon a highway listed in Schedule "G" shall angle park.

Parking Time Limit

4. Subject to Section 14, no person shall park any vehicle continuously longer than the time specified in Schedule "A" attached to and forming part of this Bylaw.

Parking on Private Property

5. No operator of a vehicle shall park said vehicle in any private parking place or on any private property of which he is not the owner, occupant, licensee, or permittee except with the consent of the said owner, occupant, licensee or permittee.

Blocking Private Driveways

6. No person shall park a vehicle on any street in such a manner as to block an entrance to or exit from a private driveway.

New Paint Lines

7. No person shall drive or walk on or over a newly painted line on any street where such line is indicated by accepted warning or directional markers or signs.

No Parking

- 8 (1) No operator of a vehicle shall park said vehicle at locations or in a manner referred to in Schedule "B" attached to and forming part of this Bylaw.
 - (2) Notwithstanding the provisions of subsection (1), a motor vehicle may be parked in any lane for the purpose of loading or unloading, provided that such motor vehicle shall be parked for a period exceeding fifteen (15) minutes, unless written permission has first been obtained from the Bylaw Enforcement Officer for an extension of such time.

Unattended Vehicle on Jacks

- 9 No person shall leave a vehicle unattended on a jack with one or more wheels removed for the more than three (3) hours on any street or on unoccupied town property without the vehicle being sufficiently blocked to stop the vehicle from falling onto the ground.

Vehicle Immobilized

- 10 No person shall stand or park a vehicle on any street or on unoccupied town property for the purpose of greasing or repairs, except emergency repairs.

Unlicensed Vehicles

- 11 No motor vehicle, which requires a license plate, shall be parked on a street unless it displays license plates valid for the current year or a valid permit in lieu thereof.

Double Parking

- 12 No person shall double park a vehicle upon any street in the Town.

Truck and Trailer Parking

- 13(1) No person shall leave a trailer or semi-trailer parked on any public street, which is unattached from the vehicle used for moving same.
- (2) No semi-trailer attached or unattached to a motor vehicle shall be parked on a street in any residential district at any time, unless actually engaged in loading or unloading furniture, goods, or merchandise.
- (3) No person shall park any trailer (whether designated for occupancy by person or for the carrying of goods or equipment) upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulation pertaining to vehicles unless otherwise authorized by order of the Bylaw Enforcement Officer.
- (4) No person shall occupy or suffer or permit any other person to occupy a mobile unit upon a highway or upon public property unless such property has been designated for use as a mobile unit park or trailer park.

Contractor Parking

- 14 Trucks or vans or utility/cargo trailers owned or leased by contractors or other while carrying out work inside buildings shall be exempt from the hourly restricted parking provisions of this Bylaw while parked adjacent to a building where its owner is carrying out work and the truck is carrying equipment or material necessary to the work which cannot be conveniently unloaded and kept otherwise than on the truck.

General Standing Prohibitions

- 15 No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open upon the side of a vehicle available to moving traffic, for a period of time longer than necessary to load and unload passengers.

Loading Zone

- 16 (1) No operator of a vehicle shall remain in a loading zone for a period exceeding five (5) minutes for the purpose of embarking or disembarking passengers, provided that on the expiration of the two minute period the onus of proving the loading and unloading of goods shall rest with the driver of any vehicle found in such loading zone.

No operator of a vehicle shall remain in a loading zone for periods exceeding fifteen (15) minutes for the purpose of loading or unloading goods.

Subject to subsection (1), any vehicle loading or unloading handicapped individuals shall be allowed fifteen (15) minutes for the unloading and loading of passengers as per Schedule "F".

SECTION III **RULES FOR OPERATION AND CONDITION OF VEHICLE**

No U-Turns

- 1 (1) No person driving a vehicle shall turn the vehicle so as to proceed in the opposite direction:
 - (a) Between intersections
 - (b) At the intersection with a lane
 - (c) At any intersection as set forth in Schedule "C" attached to and forming part of this Bylaw.
- (2) The driver of a vehicle when making a legal turn at an intersection shall not proceed to do so until it shall be safe to do so.

"Stop" Streets

- 2 The provisions of subsection 45(4) of the Act shall apply to all traffic approaching and facing a "Stop" sign erected and maintained in accordance with the provisions of section VIII subsection 1.

"Yield" Streets

- 3 The provisions of subsection 55(5) of the Act shall apply to all traffic approaching and facing a "Yield" sign erected and maintained in accordance with the provisions of section VIII subsection 2.

Miscellaneous Signs

- 4 (1) No person shall, except where authorized by Administrator or Bylaw Enforcement Officer or when duly authorized by law, erect upon or immediately adjacent to any highway, any sign marker, signal, or lighter or any advertising sign or devise.
 - (2) No person shall deface, damage, destroy or remove any sign or markers erect pursuant to this Bylaw.
 - (3) All signs shall be removed within 48 hours following the event being advertised.

No Left Turn

- 5 No person driving a vehicle shall turn left at any intersection or junction.

Traffic Obstruction

- 6 No vehicle operator shall drive or stand a vehicle upon any highway in such a manner as to block, obstruct, impede, or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway.

Stopping When Traffic Obstructed

- 7 Notwithstanding any traffic signal indication to proceed no driver of a vehicle shall enter an intersection unless there is sufficient space on the other side of the intersection to accommodate the vehicle without obstruction the passage of pedestrians or other traffic.

Towing Vehicles

- 8 No person shall tow any motor vehicle upon any street if the connection is so arranged that the towing vehicle and the vehicle being towed are separate by no more than two and one half (2.5m) metres.

Maximum Speed

- 9 No person shall drive any vehicle at a speed greater than that as set out in Schedule "H" attached to and forming part of this Bylaw.

Vehicle Not To Be Driven On Sidewalk

10(1)No operator of a vehicle shall drive within any sidewalk area, except at a permanent or temporary driveway, nor upon any pedestrian path in a public park, unless with written permission of the Administrator or Bylaw Enforcement Officer.

(2)A person may obtain the written permission of the Administrator or Bylaw Enforcement Officer to cross a sidewalk with a vehicle other than at a regular Crossing place, when the said Administrator or Bylaw Enforcement Officer is satisfied that due precautions have been or will be taken by the applicant to protect the sidewalk from injury and that the use thereof for such purpose will not cause any unwarranted obstruction to pedestrians. The owner, driver, or operator of a vehicle who has obtained permission as mentioned herein is nonetheless responsible for all damage that maybe caused to the sidewalk for reasons of the driving, operating or moving of the vehicle. The applicant who has received permission may cross over the sidewalk if the sidewalk is covered with planking at least thirty-eight (38 mm) millimeters in thickness, securely fastened or clamped and beveled off at the end so as not to cause obstruction to pedestrians, and constructs across the drain or water course opposite the proposed crossing, a good and sufficient bridge of planks or other proper and sufficient material so constructed as not to obstruct the said drain, gutter or water course.

(3)A person who obtains permission to cross a sidewalk with a vehicle pursuant to subsection (2) will be required to submit a refundable damage deposit to the Town of Eatonia of at least Five hundred (\$500) dollars to a maximum of one thousand (\$1000) dollars. Said deposit shall be refunded upon satisfaction of the Engineer or Bylaw Enforcement Officer that the sidewalk mentioned in subsection (2) has not been damaged.

(4)No person shall build, construct, or install any type of access road, path, or driveway for the purpose of access from any private property to any street or sidewalk without first having obtained the written approval of the Engineer.

Backing Vehicles

11(1)The driver of any vehicle, before backing the same, shall ascertain that it is safe to do so, and the fact that a collision has been occasioned by the backing of a vehicle may be accepted as prima facie evidence of failure to so ascertain that such vehicle might be backed safely.

(2)No person shall back any vehicle around the corner of a street or lane or intersection within the limits to the town.

Following Emergency Vehicles

12(1)No vehicle shall follow any fire truck, fire department apparatus or any other emergency vehicle, as described in the Act, when responding to an alarm at a distance of less than sixty (60 m) metres.

(2)No person driving or operating a vehicle shall cause the said vehicle to pass over or interfere with a hose.

Driving on Playgrounds and Parks:

13 No person shall drive a vehicle upon or across a playground, park or public reserve which the owner or any board appointed by the owner for the purpose controls, supervises or manages.

Splashing of Pedestrians:

14 When water, mud, or slush is lying on any street, the operator of every vehicle thereon shall so reduce the speed of his vehicle so as to avoid splashing any pedestrian.

Unnecessary Noise, Throwing Gravel, etc:

15(1) No person shall drive a motor vehicle upon a parking lot or other place in such a manner as to cause the tires to make excessive, unusual or unnecessary noise. Notwithstanding the generality of the foregoing, the squealing of tires shall be deemed excessive noise.

(2) No person driving a motor vehicle upon a parking lot or other place shall accelerate the vehicle to such an extent so as to cause the tires to slide, spin or throw gravel or other substances.

School Bus Flashing Light

16(1) Subject to subsection (2), the operator of a school bus when operating a school bus on public highways in the municipality shall not activate the safety lights.

(2) The provision of subsection (1) shall not apply at the locations in Schedule "H".

Lug Vehicles

17(1) No person shall propel, operate, or drive any lug vehicle upon any highway within the Town without first having obtained from the Administrator or Bylaw Enforcement Officer, a permit in writing authorizing same.

(2) The Administrator is hereby authorized to issue permits in writing for the Purpose of subsection (1) in any case where the applicant therefore has signed a written undertaking in form "1" which attached hereto and forms part of this Bylaw, provided that the engineer shall not issue any such permit unless he is satisfied that with reasonable care in operation the lug vehicle may be propelled or driven over any highway without damage resulting thereto or any bridge or culvert thereon.

(3) Nothing contained in subsection (1) shall be deemed to preclude the transport of a lug vehicle as herein defined over any highway where same is being carried by shall mean a rubber-tired trailer or other conveyance equipped with rubber tires.

School Bus Route

18 The Sun West School Division No. 207 shall designate, subject to the approval of the Town, school bus routes from time to time and shall notify the Town in writing of any changes in the said routes. No person shall operate a loaded school bus on or over any public highway except the streets so designated.

Jake Brakes

19 No person shall operate, apply, or use engine brakes within the Town except in the case of an emergency when the operation of engine brakes is necessary to avoid the imminent possibility of a collision or traffic accident, hazard, or dangerous situation.

Two-Way single Lane Streets

20 All streets, unless otherwise authorized in another section of this Bylaw, are hereby deemed to be two-way single lane streets.

Scooters

21 No person shall operate a scooter on or over any public highway or sidewalk unless the said scooter displays a red, yellow or orange flag with a total surface area not less than 500 cm² (77.5 inches²) at a height of not less than 1.5 metres (4.92 feet) from the ground

SECTION IV

REGULATIONS FOR KINDS AND CLASSES OF VEHICLES

Wheeled Construction

1 No vehicle shall be permitted on the Town streets or lanes, the faces of the wheels of which are fitted with any appliances that would injure or destroy the road surface.

Size of Load

- 2 No load exceeding two and one half metres (2.5 m) in width, four and three-tenths metres (4.3 m) in height or ten and seven-tenths metres (10.7 m) in length shall be moved over any street or lane unless authorized by special permit issued by the Administrator pursuant to this or any other Bylaw of the Town except loose hay, straw or fodder carried on a vehicle other than a motor vehicle which may have been a width of three metres (3 m).

Maximum Gross Vehicle Weight

- 3 (1) Except as provided for under subsection (2) and (3), no vehicle on a street or lane within the limits of the Town, including its load, shall exceed eight thousand kilograms (8,000 kg).
- (2) No vehicle, including its load, shall exceed the weight limits for the specific roads prescribed in Schedule "E", attached hereto and forming part of this Bylaw.
- (3) Notwithstanding subsection (1) a vehicle, including its load, may exceed the limitations of established in subsection (1) if:
 - (a) The vehicle makes local deliveries or pickups while being operated to or from the point of delivery or pickup by the shortest route shown on Schedule "E-1", attached to and forming part of this Bylaw;
 - (b) The vehicle goes to or from a garage for storage or repair from the nearest point on the routes shown on Schedule "E-1", attached to and forming part of this Bylaw: or
 - (c) The vehicle is owned or contracted by the Town while actually in the service of the Town.
- (4) On being requested or signaled to do so by a Peace Officer or Bylaw Enforcement Officer, a person driving or moving a vehicle, building, object or contrivance over a public highway shall stop driving or moving the vehicle, building, object or contrivance in order to permit the Peace Officer or Bylaw Enforcement Officer to make any examination or investigation considering necessary by him or her determine:
 - (a) Where weigh scales are within 40 kilometers, require the person in charge of vehicle to take vehicle to the nearest weigh scales;
 - (b) Where the weigh scales within 40 kilometers are closed, detain the vehicle until the weigh scales reopen on the following day or until it is no longer practical to detain the vehicle; or
 - (c) Where the use of weigh scales is not necessary or immediately available require the person in charge of the vehicle to immediately produce for inspection and copying the bill of lading, shipping bill, customs permit or any other document pertaining to the goods or thing being transported.
- (5) A Peace Officer or Bylaw Enforcement Officer may require the person in charge of the vehicle to unload immediately any portion of the load as may be necessary:
 - (a) To decrease the gross weight of the vehicle or gross weight on any axle or wheel of the vehicle to the prescribed maximum gross weight; or
 - (b) To effect a change in the dimensions of load in order to make the load conform to the minimum or maximum dimensions set out in the regulations, minister's order of permit.
- (6) A Peace Officer or Bylaw Enforcement Officer.
 - (a) Without a warrant, seize any vehicle that, in his or her opinion, has a gross weight or has gross weight on axle or wheel of the vehicle exceeding the prescribed maximum gross weight; and
 - (b) Retain the vehicle in his or her custody until:
 - i. the expenses of seizing the vehicle and of keeping the vehicle in custody are paid; or
 - ii. if an information respecting of offence against this section is laid within three days after the date of the seizure, the information is disposed of by a judge or justice of the peace.

- (7) A Peace Officer or Bylaw Enforcement Officer
- (a) without a warrant, seize any vehicle that, in his or her opinion, poses a danger to other traffic because its dimensions exceed the maximum dimensions set out in the regulations, minister's order or permit; and
 - (b) retain the vehicle in his or her custody until:
 - i. the expenses of seizing the vehicle and of keeping that vehicle in custody are paid; or
 - ii. if an information respecting an offence against this section is laid within three days after the date of the seizure, the information is disposed of by a judge or justice of the peace.

Covering of Load

- 4 No person shall operate any vehicle transporting garbage, trade waste, refuse or debris of any kind or description whatsoever, along or over any street or lane in the Town unless the load is covered with appropriate materials to sufficiently cover all garbage, trade waste, refuse or debris and securely fastened in order to prevent any material from being ejected or blown onto public streets during transportation.

Spilling Material

- 5 (1) Should any material being transported over Town streets or lanes be spilled, it shall immediately be removed by the person in charge of said material so that the street shall be in as clean and usable state as before the material was spilled, otherwise it may be removed by the Town or its agent and the Town may recover the cost from the responsible party.
- (2) If the material described in subsection (1) is a dangerous good as described under *The Dangerous Good Act*, then the spill response procedure contained in the *The Dangerous Good Act*, must be strictly followed.

Dangerous Good Route

- 5 The streets set out in Schedule "D" attached to and forming part of this Bylaw are Dangerous Goods Routes.

SECTION V **BICYCLES**

Two Abreast

- 1 No person shall ride a bicycle on a street on the left side of any other two persons riding bicycles abreast on that street except for the purpose of passing.

Passengers

- 2 No person riding a bicycle shall carry thereon any other person except one passenger where the bicycle is equipped with a properly constructed seat securely fastened over the rear wheel thereof.

Acrobatics

- 3 A person riding a bicycle shall have at least one hand on the handlebars thereof and no such rider shall engage in any acrobatic feats such as, but not limited to,
- (a) riding a two-wheeled bicycle on one wheel;
 - (b) jumping curbs or medians;
 - (c) stunting; operating in a reckless manner

Right Hand Side

- 4 Every person riding a bicycle shall ride as close as possible to the right hand curb, but this shall not apply when the rider is approaching an intersection and indicates his intention to turn from a direct line by giving visible signal.

On Sidewalk

- 5 No person shall operate a bicycle whose wheels have a diameter more than (16) inches on any sidewalk except for the purpose of crossing.

Reclining Position

- 6 No person shall leave a bicycle in a reclining position on a street, boulevard, or sidewalk.

Rules of the Road

- 7 Every person riding a bicycle on a street or lane in Eatonia shall conform to *The Traffic Safety Act*.

Seizure of Bicycles

- 8 The Bylaw Enforcement Officer or a Peace Officer may seize, without warrant, any bicycle that is operated or parked in violation of subsection 1, 2, 3, 4, 5, 6, and 7 may impound the said bicycle for a period not exceeding fourteen (14) days. In addition to, and notwithstanding any penalties herein, any Peace Officer or the Bylaw Enforcement Officer may seize the bicycle.

SECTION VI

PARADES AND STREET CLOSURE

Approval of

- 1 No parade shall be held unless written permission has first been granted by the Administrator or Bylaw Enforcement Officer.

Application to Hold

- 2 Application by any person desiring to hold a parade shall be made in writing not less than forty-eight (48) hours before the time set for the commencement of the parade and shall give the full particulars thereof.

Vehicle or Pedestrian Crossing

- 3 No operator of a motor vehicle nor any pedestrian shall cross through any parade or in any way obstruct or interfere with a parade approved pursuant to subsection 1.

Closing Streets

- 4 (1)The Administrator or Bylaw Enforcement Officer may close any street, lane or sidewalk for the purpose of carrying out road, sewer line or water line construction, repair or improvement or any other work where he believes it is necessary to close the street, lane or sidewalk to the public.
(2)Where the Administrator or Bylaw Enforcement Officer has closed a street pursuant to subsection (1), no person shall enter or attempt to enter or attempt to enter the street, lane, or sidewalk without authorization from the Administrator or Bylaw Enforcement Officer.
(3)The Administrator, Fire Chief, Bylaw Enforcement Officer or any Peace Officer may close any street or lane where in his or her opinion an emergency exists which requires that the street or lane be closed.
(4)On receipt of application from a member of the public, and a permit fee of \$25.00, the Administrator or Bylaw Enforcement Officer may issue a permit for the purpose of holding block parties or other functions on the street. The Administrator or Bylaw Enforcement Officer may require that a damage deposit of the current replacement cost be paid to the Town prior to issuance of the permit; the said deposit to be refunded to the applicant when the barricades are returned in good condition.
(5)When required, barricades shall be placed across alleyways to prevent unauthorized vehicular or pedestrian traffic.

SECTION VII

HEDGES, TREES AND STREETS

Near Intersections

- 1 No person shall plant trees, hedges or shrubs on private property at or adjacent to and within seven and on-half (7.5 m) metres from any street intersection, lane or driveway.

Dangerous to Traffic or Obstruction of Sidewalks

- 2 The Bylaw Enforcement Officer may order that any hedge, shrubs or tree be removed, trimmed, or cut down to such a height as may be required where he/she considers that such a hedge, shrub or tree is dangerous to lanes, street traffic or blocks; obstructs or impedes pedestrian traffic on any sidewalk.

Damage to Streets

- 3 (1) No person shall willfully excavate or trench any street without the consent of the Engineer.
- (2) No person shall allow a vehicle or any other mechanical device to tear, gouge, or scar any street or lane without the consent of the Engineer.

Obstruction of Streets, Sidewalks and Lanes

- 4 No person shall place or leave any electrical cord, lumber, tree branches or any other thing whatsoever across any lane, sidewalk or street in such a manner that it blocks, obstructs, or impedes pedestrian or vehicular traffic, or renders said lanes, sidewalk or street unsafe for passage by pedestrian or vehicular traffic.

SECTION VIII

TRAFFIC SIGNS AND SIGNALS

Stop Signs

- 1 All stop signs shall be erected and maintained at a distance of approximately three (3 m) metres from point of intersection so placed to face the traffic approaching the intersection.

Yield Signs

- 2 All yield signs shall be erected and maintained at a distance of approximately three (3 m) metres from point of intersection so placed to face the traffic approaching the intersection.

No U-Turn Intersection

- 3 The intersections and junctions of streets and avenues approached from any direction as set out in Schedule "C" attached to and forming part of this Bylaw are established as "No U-Turn" intersections and the erection of "No U-Turn" signs for the said intersection and junctions is hereby authorized.

No Parking

- 4 The Administrator, in consultation with Bylaw Enforcement Officer shall cause to be erected and maintained appropriate signs or curb markings to indicate "No Parking" areas. Such signs or curb markings shall be visible from the part of the highway to which the restriction applies.

General Signs

- 5 The Administrator, in consultation with Bylaw Enforcement Officer 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.

SECTION IX

LOITERING AND OBSTRUCTION OF STREETS

- 1 In this section "loiter" or "loitering" shall be defined as follows:
 - (a) lounging, sitting, standing or remaining at, about, or near the vicinity of and public place in Town without any apparent purpose or reason; or
 - (b) lounging, sitting, standing or remaining at, about or near the vicinity of any public place in the Town in a manner so as to obstruct, interfere, block or slow the free passage of vehicle or pedestrian traffic; or requests directed at pedestrians for gifts or money or to otherwise "panhandle" for gifts or money.
 - (c) while on any public street or sidewalk make gestures, comments or requests directed at pedestrians for gifts or money or to otherwise "panhandle" for gifts or money.

- 2 In this section “public place” shall include:
 - (a) a street, lane, alley, sidewalk or boulevard;
 - (b) public parking lot;
 - (c) a place or building to which the public has or is permitted access;
 - (d) a park or playground;
 - (e) any unoccupied land or building;
 - (f) in relation to a person who blocks the entrance to any occupied building or lands without the consent of the lawful owner or occupant, the entrance to the building;
 - (g) in relation to a person who enters occupied land or an occupied building without the consent of the lawful owner or occupant, the land or building so entered.

- 3 Every Person who, without lawful excuse, the proof of which lies upon him or her, loiters in, at, about or near the vicinity of any public place is guilty of an offence under this Bylaw.

- 4 No person is guilty of an offence under Section IX subsection 4 of this Bylaw:
 - (a) where he or she was, at the time of the alleged offence, at one of the places listed in Clauses 2 (f) or (g) with the consent or permission of the lawful owner or occupant of that land or building; or
 - (b) the gifts or money requested of charitable corporation as that term is defined in *The Non-profit Corporations Act* c. N-4.2, and any amendments or replacements thereto, the proof of which lies upon the person so charged.

SECTION X **ENFORCEMENT AND PENALTIES**

Emergency Traffic

- 1 (1)A Peace Officer is hereby authorized to direct traffic in conformity with this Bylaw and *The Traffic Safety Act*.
- (2)Notwithstanding any other provisions of the Bylaw, a Peace Officer or a person designated by a Peace Officer, a firefighter or Bylaw Enforcement Officer are hereby authorized to direct or prohibit traffic on any public highway in any manner they deem necessary to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether or not in conformity with this Bylaw or *The Traffic Safety Act*, in the event of a fire, traffic accident, traffic signal light malfunction or other emergency
- (3)Every person shall comply with a direction or signal of Peace Officer, a person designated by a Peace Officer, a fire fighter, or a Bylaw Enforcement Officer given under authority of this section.

Chalking Tires

- 2 Any Peace Officer or other person authorized by the Chief of Police or Bylaw Enforcement Officer to enforce this Bylaw may place an erasable chalk mark on the tread face or side of a tire of any vehicle parked or stopped.

Placing Tickets

- 3 (1)No person, other than a Peace Officer, or Bylaw Enforcement Officer may place a parking ticket or warning ticket on any vehicle.
- (2)No person, other than the owner or operator of the vehicle, shall remove a Notice of Violation from a vehicle.

Cancellation of Tickets

- 4 The issuing Peace Officer or Bylaw Enforcement Officer may cancel any Notice of Violation where, in the opinion of the issued Peace Officer or Bylaw Enforcement Officer, that Notice of Violation was issued improperly or in error.

Removal of Obstruction

- 5 Where an obstruction, encumbrance or encroachment is created or left on any public highway, boulevard or sidewalk, any Peace Officer or other person authorized by the Chief of Police or Bylaw Enforcement Officer may remove or cause the removal of that obstruction, encumbrance or encroachment at the cost of the person who caused the obstruction, encumbrance or encroachment and may destroy or otherwise dispose of the obstruction, encumbrance or encroachment.

Private Name and Address

- 6 Any person to whom a violation ticket is being issued under this Bylaw shall furnish the Peace Officer or Bylaw Enforcement Officer issuing the ticket with any info he/she requires to complete his or her duties where requested to do so.

False Statement

- 7 No person shall in any verbal information, report or document for purposes of this Bylaw, make a statement false in any material particular.

Impounding Vehicles

- 8 (1) In addition to, and notwithstanding any penalties provided herein, any Peace Officer or the Bylaw Enforcement Officer may remove or cause to be removed any vehicle that contravenes any section of the Bylaw and may include, but is not limited to, any vehicle that is unlawfully placed, left or kept on any street, lane, public parking place, other public place, or on municipal property and seize, impound or store such vehicle.
 - (2) When a Peace Officer or the Bylaw Enforcement Officer has seized, impounded or stored a vehicle after he has removed or caused same to be removed under subsection (1), he may retain it in his possession or store it at a suitable place for a period of thirty (30) days from the date of removal unless the costs of removal, impounding or storage are sooner paid. Upon payment in full of the costs herein, he shall release the vehicle to the owner thereof.
 - (3) If the costs of removal, impounding or storage are not paid within the period of thirty (30) days as specified in subsection (2), the Town shall have the right to recover same from the owner of the vehicle by:
 - (a) Legal action in a Court of competent jurisdiction, or
 - (b) By sale of the impounded vehicle by public tender on publication of notice designating time and place of sale at least ten (10) prior to the sale, in a newspaper published and circulating in the Town and on the sending of such notice by registered or certified mail to the owner at the address appearing on the last registration of the vehicle,
 - (4) The cost mentioned in the preceding subsection shall be the following:
 - (a) The actual cost of removal with a minimum charge of thirty-five (\$35) dollars.
 - (b) The cost of storage at a rate of five (\$5) dollars per day to a maximum of one hundred (\$100) dollars.
 - (c) The cost of the legal action.

All to Comply

- 9 (1) Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder shall be liable to the penalties as hereinafter provided. Said offence and penalties shall be listed on Form 2, or where applicable Summary Offences Traffic Information as set out by the Province of Saskatchewan, and provide to the said person.
 - (2) The penalty for breach of any of the preceding sections shall on summary conviction be the summary conviction of the sum set in Schedule "K" attached to and forming part of this Bylaw.
 - (3) If the penalty for the contravention of Sections II Subsection 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, Section III Subsection 5, 8, 10, Section V Subsection 1, 2, 3, 4, 5, 6, 7, 8, Section VI Subsection 1, 3, Section VII Subsection 1, 3, are not paid within ten (10) calendar days from the date of the notice referred to in paragraph 1 above, an information may be laid and a summons issued at any time thereafter. If the person committing a breach issued, the Council hereby authorizes the Bylaw Enforcement Officer to accept the sum of half the

stated fine in full payment thereof. If payment is made within such time, and accepted, then the person shall not be liable to further court action.

(4) Where a person has committed an offence pursuant to Section 3 of this Bylaw, the judge or justice of the peace:

- (a) shall assess a fine, in addition to the fine set out in Schedule "K" attached to and forming part of this Bylaw, of \$10.00 for each 50 kilograms or fraction thereof that the actual gross weight exceeds the prescribed maximum gross weight:
 - i. in the case of a conviction based on a certificate described in Section 72, the *Traffic Safety Act*, minus 5% of the prescribed maximum gross weight; or
 - ii. in a case other than one mentioned in sub clause (i), minus the lesser of 500 kilograms or 2% of the prescribed maximum gross weight; and
- (b) may order the vehicle in respect of which the offence was committed to be seized and impounded for a period of five days or until the fine and costs, including the expenses of impounding the vehicle and keeping it impounded, have been fully paid, whichever is later.

(5) Subject to Section 4 of Part II, a person guilty of a breach of any of the provisions of this Bylaw for which no specific penalty has been provided in the foregoing provisions of Section 1 (entitled "Summary of Offences") of this Bylaw, or in *The Traffic Safety Act* of the Province of Saskatchewan or Regulations made pursuant to the Act, shall be liable on summary conviction to penalty of not less than \$15.00 and not more than:

- (a) \$2,000.00 in case of individual;
- (b) \$5,000.00 in case of a corporation.

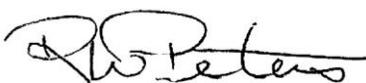
SECTION XI **REPEAL OF FORMER BYLAWS**

1 Bylaw No. 2-10 is hereby repealed.

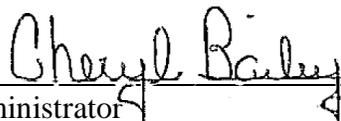
Effective Date

2 This Bylaw shall come into force and be in effect on the final passing thereof.



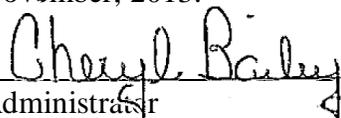


Mayor



Administrator

Certified a true copy of Bylaw No. 14/13
adopted by resolution on the 12th day of
November, 2013.



Administrator