

THE TOWN OF ARCOLA  
BYLAW 4-2006

A BYLAW TO REGULATE THE OPERATION OF VEHICLES

1. INTERPRETATION

- (a) “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) centimeters from such curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- (b) “clerk” means the clerk/administrator of the municipality;
- (c) “curb” means the lateral boundaries of a roadway, whether or not marked by curbing;
- (d) “highway” means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the municipality as designated pursuant to the provisions of The Highways and Transportation Act, 1997;
- (e) “lug vehicle” means any vehicle 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;
- (f) “municipality” means the Town of Arcola;
- (g) “one-way highway” means a highway as ascribed to it by The Highways and Transportation Act, 1997;
- (h) “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) centimeters from such curb;
- (i) “park”, “parking”, have the meanings ascribed thereto by The Highways and Transportation Act, 1997;
- (j) “place of public assembly” means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls;
- (k) “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;
- (l) “special constable” means the Royal Canadian Mounted Police or a person appointed to enforce municipal bylaws;
- (m) “speed zone” means any portion of a highway within the Town of Arcola, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (n) “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;
- (o) “vehicle” means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to it by The Highways and Transportation Act, 1997;

2. SCOPE

- (a) “STOP” STREETS  
The streets and avenues as listed in Appendix 1 are designated as “Stop” streets.
- (b) “YIELD” STREETS  
The streets and avenues as listed in Appendix 2 are designated as “Yield” streets.
- (c) “DEAD END” STREETS  
The streets and avenues as listed in Appendix 3 are designated as “Dead End” 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).
- (b) “YIELD” STREETS  
The provisions of The Highways and Transportation Act shall apply to all traffic approaching and facing a “Yield” sign erected and maintained in accordance with 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 or any advertising sign or device.
  - (2) No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this bylaw.

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(d) LUG VEHICLES

- (1) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained a permit, in writing authorizing same, from the clerk.
- (2) The clerk is hereby authorized to issue permits in writing for the purpose of section (d)(1) of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 4. The clerk 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.
- (3) Nothing contained in section (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) (i) subject to the provisions of subsection (ii) 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;  
(ii) notwithstanding the provisions of subsection (i) a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be so parked for a period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the clerk or a special constable of the municipality for an extension of such time limit;
- (3)(i) subject to subsection (ii), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park same.  
(ii) every person parking a vehicle upon a highway listed in Appendix 5 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 a 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 or private property, except with the consent of such owner, occupant, licensee or permittee.
- (7)(i) subject to subsection (ii), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or other inflammable, combustible or explosive material, within thirty (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.  
(ii) nothing in subsection (i) 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.
- (8) No person shall park a vehicle with a manufacturer's rated capacity in excess of 5,500 kg on any streets or avenues within the Town of Arcola.

(f) POWER TURNS

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

(g) SNOWMOBILES

Under the provisions of The Snowmobile Act, it shall be lawful to operate a snowmobile between the hours of 7 am and 11 pm from Monday through Saturday and from noon until 11 pm on Sunday, on any highway within the limits of the municipality.

(h) ALL TERRAIN VEHICLES

- (1) Notwithstanding the provisions contained in The All Terrain Vehicle Act, of the Province of Saskatchewan, it shall be lawful to operate an all terrain vehicle on all streets in the Town following the shortest distance from the place of residence/business to the nearest exit between the hours of 7 am and 11 pm from Monday through Saturday and from noon until 11 pm on Sunday, with the exception of Main Street. Crossing of Main Street may be made on Railway Avenue and Balmoral Avenue.
- (2) No person shall operate an all terrain vehicle on any sidewalk, boulevard, school yard, park or playground within the Town.

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### (i) SPEED

- (1) Subject to subsection (2), no person shall operate a vehicle in the municipality at a speed greater than forty (40) km/h.
- (2) No person shall operate a vehicle at a speed greater than twenty-five (25) km/h in the speed zones as set out in Appendix 7.
- (3) No person shall operate a vehicle at a speed greater than fifteen (15) km/h in the speed zones as set out in Appendix 8.

### (j) U-TURNS

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

### (k) VEHICLES ON PUBLIC RESERVES, ETC.

- (1) No person shall operate or park a vehicle on any areas designated on Appendix 6.
- (2) The provisions of subsection (1) shall not apply to maintenance vehicles or vehicles using a designated parking area.

### (m) 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, an appropriate sign containing the word "Stop", at all stop streets listed in Appendix 1. The signs shall be at a distance of approximately three (3) metres from the point of intersection and facing the traffic approaching the intersection.
- (b) Council shall cause to be erected and maintained, an appropriate sign containing the word "Yield", at all yield streets listed in Appendix 2. The signs shall be at a distance of approximately three (3) metres from the point of intersection and facing the traffic approaching the intersection.
- (c) Council shall cause to be erected and maintained, an appropriate sign "Dead End", at all streets listed in Appendix 3. The signs shall be at a distance of approximately three (3) metres from the point of intersection and facing the traffic approaching the intersection.
- (d) Council may by resolution provide for the installation and maintenance of such signs as it may deem expedient for warning, guidance, directions or information thereon, on any highway and at any designated point or points thereon.
- (e) Council shall cause to be erected signs designating a "School Bus Unloading Zone" as listed in Appendix 9.

## 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 \$100.
- (c) (1) A person who contravenes any of the provisions of subsections of Section 3 of this bylaw or fails to comply therewith or with any notice or order given there under shall be guilty of an offence or liable on summary conviction, and shall be liable to penalties as follows:

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|--|-------|
| (1) Subsection 3(e) (2), (3), (4), (5), (6), (7), or (8) | \$100 |
| (2) Subsection 3(j) (1)                                  | \$100 |
| (3) Subsection 3(k) (1)                                  | \$100 |

  - (2) A violator of any of the subsections of this bylaw, as set out in subsection (1) upon being served with a Notice of Violation, may, during regular office hours, voluntarily pay the penalty at the municipal office, and upon such 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 10, attached to and forming part of this bylaw.
- (d) The penalty for the contravention of section 3(m)(1) and 3(m)(2) 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.

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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 paid sooner. 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 (b), the municipality shall have the right to recover same from the owner of the vehicle by:
  - (1) legal action in a court of competent jurisdiction;
  - (2) sale by public auction, on publication of a notice designating the time and place of sale at least fourteen (14) 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. REPEALING

Bylaw No 2-90 and Bylaw 10-90 are hereby repealed.

This bylaw shall come into force and take effect on and from the date of it being approved by the Highway Traffic Board of the Province of Saskatchewan and after third reading by the Council.

Date of third reading this 26th day of April, 2006.

SEAL

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Mayor

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Administrator