Resort Village of Candle Lake Bylaw 14 of 2021

A BYLAW TO REGULATE TRAFFIC

THE COUNCIL of the Resort Village of Candle Lake, in the Province of Saskatchewan enacts as follows:

PART I: INTERPRETATION

SHORT TITLE

1. This Bylaw may be cited as "The Traffic Bylaw".

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires, the expressions:

Administrator means the administrator of the Resort Village of Candle Lake as defined in The Municipalities Act for the Province of Saskatchewan.

Bicycle shall mean any vehicle for the carriage of persons which is propelled by muscular power, having two wheels, either of which is over 38 centimetres in diameter, and including any device adapted from a bicycle by the addition of one or more wheels.

Block means the portion of a street which lies between two other streets neither of which is a lane and which both intersect the first named street.

Boulevard means the strip of land between the curb and the sidewalk and between the sidewalk and the property line or, where there is no sidewalk, the

strip of land between the curb and the property line whether developed or not, or the strip of land between the designated roadway and property line.

Bylaw Enforcement Officer shall mean the bylaw enforcement officer of the Resort Village of Candle Lake or anyone acting or authorized to act on this behalf to enforce municipal bylaws.

Candle Lake Emergency Services a member of the Candle Lake Volunteer Fire Department or First Responders as appointed by Council.

Curb means the actual curb to a public highway and if there be no curb in existence, shall mean the dividing line between that part of a public highway intended for the use of vehicles and that part of a public highway intended for use by pedestrians.

Engine Retardant Brakes means a compression release brake, also commonly known as a "jake brake," opens the exhaust valves at the top of the compression stroke and releases pressure out the exhaust.

Heavy Vehicle shall be defined as a vehicle loaded or unloaded, having more that two (2) axles, including those of a trailer which it has in tow, whose total licensed gross vehicle weight exceeds twelve thousand five hundred (12,500) kilograms (27,550 pounds) or whose length exceeds 11 meters (36 feet) excluding public transportation and recreational vehicles.

Intersection shall mean that portion of the street where two or more public highways intersect.

Lane means that kind or type of a public highway intended primarily to give access to the rear or side of real property and intended primarily for the use of

vehicles.

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.

Motor vehicle means a vehicle propelled or driven by any means other than by muscular power.

Operator means any person who drives, operates, or is in charge of a vehicle.

Owner means:

(a) a person, whether a legal entity or not, named in the Certificate of Registration

issued pursuant to The Vehicle Administration Act; or

- (b) a person, whether a legal entity or not, who is entitled to possession of, or property in, any vehicle for which no current Certificate of Registration exists.
- (c) any person, whether a legal entity or not, who is in possession of a motor vehicle under a contract by which he may become the owner of the motor vehicle in full compliance with the terms of the contract.

Parade means any group of pedestrians marching or walking on any public highway except members of the Armed Forces and/or any group of vehicles proceeding on a public highway under a common leadership including funeral processions or Armed Forces Vehicles.

Parking means the standing of a vehicle, whether occupied or not, on a public highway, otherwise, then momentarily for the purpose of and while actually engaged in loading or unloading of passengers or goods or in obedience to traffic regulations, signs, or signals.

Parking Stall means a portion of a public highway or an area indicated by signs, markings, meters, parking poles or physical barriers as a parking space for a single vehicle.

Pedestrian means any person afoot, on roller-skates, skateboard, rollerblades, or in an electric scooter or motorized wheelchair.

Police officer means a "Peace Officer" as defined by The Traffic Safety Act:

- (i) a member of a police service in Saskatchewan; or
- (ii) any person appointed pursuant to The Police Act, 1990 as a special constable for the enforcement of The Traffic Safety Act

Public Works means any member of the public works staff of the Resort Village of Candle Lake.

Public Works Manager means the Supervisor of the public works appointed by the Administrator of the Resort Village of Candle Lake.

Sidewalk means the actual sidewalk where constructed on or adjacent to a part of a public highway or that portion of a public highway intended primarily for use by pedestrians or any structure in a park or other public place designed and intended for use by pedestrians.

Resort Village means the Resort Village of Candle Lake (RVCL)

U-turn means the turning of a vehicle to cause it to proceed in the opposite direction from which it was proceeding immediately prior to the commencement of such turn.

All other terms shall be as defined in The Highways and Transportation Act, 1997 for the Province of Saskatchewan, and including all amendments.

PART II: TRAFFIC SIGNS

Erection of Signs

- 3. (a) The Administrator is hereby authorized to erect and maintain signs for the purpose of the control, warning, guidance, information and direction of traffic in conformity with the provisions of this Bylaw or any traffic warrants approved by Council.
- (b) The Administrator shall keep a record of the location of all traffic control signs and devices and zones where parking or stopping is restricted by sign and the record shall be open to inspection at the office of the Town's Administration Department during normal business hours.

Protection of Signs

4. No person shall damage, deface, remove, obscure, or interfere with any sign, marker or barricade placed or maintained by the Resort Village for the purpose of traffic control.

Prohibition

5. No person other than the Administrator or his designate, a Police Officer or Fire Chief, unless authorized by the Council, shall erect or maintain on any public highway in the Resort Village of Candle Lake any warning or direction sign, marker, signal or light.

Penalty

6. A person who violates any provision of this section is guilty of an offence and liable on summary conviction to a fine of not less than \$100 and not more than \$2500 and shall be liable for all costs or removal of an unauthorized sign, marker, signal or light or for the replacement of any damaged or defaced sign, marker, signal or light.

PART III: RESTRICTED USE OF PUBLIC HIGHWAYS

Temporary Road Closure

- 7. (1) Notwithstanding any other provision in this Bylaw, the Administrator shall have authority to temporarily close to vehicular traffic or restrict parking or stopping on any public highway for the purpose of:
 - (a) enabling work to be carried out by or on behalf of the Resort Village including road maintenance, street cleaning, snow removal and sewer or water line construction, repair, or improvements.
 - (b) facilitating the moving of any building, structure, machine, or other object.
 - (c) facilitating the construction, repair or demolition of a building, structure or another object.
 - (d) facilitating public gatherings.
- (2) Notwithstanding any other provision in this Bylaw, the Chief of Police shall have authority to temporarily close to vehicular traffic or restrict parking or stopping on any public highway or portion thereof whenever in his judgement it may be necessary to avoid traffic congestion, danger, accident, public inconvenience or for the purpose of a parade or assembly of persons and shall

notify the Town Administrator except in case of emergency.

- (3) Notwithstanding any other provision in this Bylaw, the Fire Chief of the Town or his designate shall have authority to temporarily close off any public highway to vehicular or pedestrian traffic in the case of fire or emergency in the area of same.
- (4) Where a public highway is temporarily closed, the Administrator shall cause the public highway to be marked with a sign indicating the closure and the hazards, if any, that would be encountered in its use.
- (5) No person shall operate a vehicle upon any public highway temporarily closed to vehicular traffic by authority of this Bylaw or any other Bylaw of Council.
- (6) No person shall park or stop a vehicle upon any public highway where parking or stopping is temporarily restricted by authority of this Bylaw or any other Bylaw of Council.
- (7) A Police Officer or Bylaw Enforcement Officer is hereby authorized to direct traffic in conformity with the provisions of this Bylaw.

Parades

- 8. No parade shall be held without first obtaining a permit from the Resort Village Administrator, who shall designate and approve the hour and route of the parade.
- (2) Application for a permit for a parade shall be made to the Resort Village Administrator, giving the nature of the parade, the intended route, date, and time.
- (3) No person shall cross through or in any way obstruct or interfere with a parade or assembly for which a parade permit has been obtained.

Pedestrian

- 9. Every person operating a vehicle shall stop and yield the right-of-way to any pedestrians who are crossing the public highway at any intersection or marked crosswalk.
- (2) No person operating a vehicle shall overtake or pass a vehicle at a pedestrian crosswalk or when within thirty metres (30m) of a pedestrian crosswalk.

Bicycles

- 10. (1) Every person when operating a bicycle or motorcycle upon any public highway in company with other bicycles shall so operate or ride the same as to proceed with said operators in single file.
- (2) Every person riding a bicycle shall ride as close as possible to the right hand curb or to any person who may be riding a bicycle on his right side, but this shall not apply when the rider is approaching an intersection and indicates his intention to turn from a direct line by giving a visible signal.
- (3) Every bicycle when operated upon a public highway shall be equipped with a brake adequate to control the movement of and to stop such bicycle whenever necessary. Such brake shall be maintained in efficient working condition at all times.
- (4) Any police officer or bylaw officer may seize, without warrant, any bicycle that is being operated or parked in violation of this bylaw and may impound it for a period not exceeding fourteen (14) days.
- (5) Any bicycle impounded and unclaimed for ninety (90) days or more shall be dealt

with as lost or unclaimed personal property.

PART IV: PARKING AND STOPPING

Parking

11. Where parking is permitted, vehicles shall park parallel to or alongside the curb unless angle parking is indicated by signs or markings.

Parking Limited

12. No person shall park any vehicle for a longer time on any public highway than allowed for by traffic signs and in no case longer than forty-eight (48) hours.

Parking at Curb

13. No person shall park a vehicle upon a public highway except at the righthand curb on a two-way street; and in the direction of traffic on that side of the street provided such parking is not otherwise prohibited by this Bylaw.

Parallel Parking

- 14.(1) No person shall park a vehicle on a public highway where parallel parking is provided:
 - (a) with the front or rear wheel nearest the curb more than 0.3 metres from the Curb.
 - (b) within 0.6 metres of any vehicle previously parked in front of or behind the vehicle.
- (2) Notwithstanding subsection (1), where the vehicle is a solo motorcycle, the operator shall park the vehicle at an angle of forty-five (45) degrees to the curb

with the rear wheel within 0.3 metres of the curb.

- 15. (1) No person shall park a vehicle on any street where angle parking is provided except:
 - (a) in accordance with signs or markings designating a parking stall; and
 - (b) with the front end of the vehicle within 0.3 metres of the curb; and
 - (c) where the vehicle measures more than six (6.0) metres in overall length
- 16. Except where authorized by this bylaw, no driver shall drive a vehicle over the centre of a public highway for the purpose of parking on the other side of the public highway.

Double Parking

17. No person shall double-park any vehicle upon any public highway in the Resort Village of Candle Lake.

No Parking/Parking Distance Restrictions

- 18. No person shall park a vehicle:
 - (a) on any lane in the Resort Village
 - (b) within four and one-half (4.5) metres of extended curb lines at intersections on streets where parallel and angle parking is permitted.
 - (c) within four and one-half (4.5) metres of the entrance of any lane on all streets where parallel and angle parking is permitted.
 - (d) within two (2m) metres of any sidewalk crossing.
 - (e) within three (3m) metres of a fire hydrant, measured parallel to the curb.
 - (f) within five (5m) metres of any railway track.

- (g) on any sidewalk or curb crossing.
- (h) on any portion of a boulevard or centre median.
- (i) within a street intersection.
- (j) in a driving lane of any street.
- (k) on any public highway on which parking has been temporarily restricted, pursuant to Part III of this Bylaw.
- (I) on any public highway which has been temporarily closed to vehicular traffic, pursuant to Part III of this Bylaw.
- (m) in any place not accessible to a public highway by a curb crossing.
- (n) on any public highway for more than forty-eight (48) hours.
- (o) obstructing any private driveway.
- (p) any place where parking is prohibited by a Police order sign, provided that the painting of a curb yellow shall, for the purpose of this bylaw, be deemed a Police order sign, and no person, unless acting under the instructions of the Police, Administrator or Town Council, shall paint or permit any curb to be so painted.
- (q) where there is a "No Parking Sign"
- (r) along Main Street, unless in one of the two marked parking lots.
- (s) stop or park along the walking path on the south side of Main Street.
- 19. No person shall cause or allow any thing or vehicle to encroach upon a public highway, sidewalk, or boulevard

- 20. In addition to other penalties as set out by this bylaw, any vehicle parked in violation of this section may be towed away at the owners' expense.
- 21. The Public Works Manager shall have the right at times to authorize the issuance of special permission dealing with parking or loading of vehicles on a temporary basis.

Private Property

- 22.(1) No person shall park a vehicle on private property, in any private parking place or parking lot except with the express consent of the owner, occupant or permittee of that property.
- (2) No person shall enter, leave, or park in a private parking area except in accordance with painted lines and/or directional signs posted in that area.
- (3) No person shall park a vehicle exceeding a Manufacturers G.V.W. of 4400 kilograms or an overall length of more than six (6) metres on any private parking lot in accordance with posted signs.
- (4) No person shall park a vehicle within any parking stall on private property marked by signs as reserved for the disabled, unless the vehicle displays a valid disabled license plate sticker or a disabled placard in the front windshield issued by the Highway Traffic Board or a temporary disabled placard displayed in the front windshield issued by the Saskatchewan Abilities Council or the Canadian Paraplegic Association.

Oversize Vehicle Parking

23.(1) No person shall park a vehicle exceeding a Manufacturers G.V.W. of 4400

kilograms or an overall length of more than six (6) metres on any public highway excepting recreational and emergency vehicles and public transit vehicles.

- (2) No trailer or semi-trailer shall be parked on any highway unless the towing unit remains attached thereto.
- (3) This section shall not apply to Resort Village vehicles.

Storing Materials during Construction

- 24. (1) Where a person wishes to park, leave, stand, store, or station any vehicle, material or object used in connection with a building construction or maintenance operation on a portion of a street, sidewalk, or boulevard, that person shall obtain a permit in writing from the Public Works Manager.
 - (2) A person who obtains a permit from the Public Works Manager pursuant to this section shall comply with all the provisions and conditions of the permit.
 - (3) A person who obtains a permit from the Public Works Manager pursuant to this section shall provide the permit upon request by a police officer and the Public Works Manager.
 - (4) The Public Works Manager may impose fees for the issuance of a permit under this section as set out in Schedule

Material on Streets

25. (1) No person shall place, dispose, direct or allow to be placed, directed, or disposed, any material belonging to that person or over which that person exercises control on a portion of a street, boulevard, or sidewalk unless written permission has been obtained from the Public Works Manager.

- (2) No person shall store, place, or dispose of any material in such a way that it may enter onto the street by any means including natural forces.
- (3) The owner of private property, which is being developed adjacent to a street, or the general contractor or other person acting on behalf of such person, shall not allow mud, dirt, or other construction debris to be tracked by motor vehicles or equipment from the property onto a street.

Hazards

26. Notwithstanding any other provision of this Bylaw, if the Public Works Manager is of the opinion that a condition exists on a street, sidewalk, or boulevard creating a danger to life or property, the Public Works Manager may use any measures that the Public Works Manager considers appropriate to remove or lessen the condition.

Damage to Trees, Streets, Sidewalks and Boulevards

- 27. (1) The owner of private property, which is being developed adjacent to a street, or the general contractor or other person acting on behalf of such person, shall:
 - (a) not damage any shrubbery or tree owned by the Resort Village of Candle Lake;
 - (b) be responsible for the costs of any damage to shrubbery or trees owned by the Resort Village of Candle Lake; and
 - (c) be responsible for and ensure any repairs or replacement of the sidewalk, boulevard, and street to the satisfaction of the Public Works Manager.

PART V: RESTRICTED VEHICLES

MOTORIZED BICYCLES & MOTORIZED WHEELED VEHICLES

- 24. (1) No person shall drive a motorized wheeled vehicle that is not capable of being licensed pursuant to The Traffic Safety Act on any sidewalk, street, highway, lane, park, playground, or dedicated land unless authorized to do so, by any other bylaw of the Resort Village of Candle Lake.
- (2) No person shall drive a motorized wheeled vehicle that is not capable of being licensed pursuant to The Traffic Safety Act on any property owned or controlled by the Resort Village, unless prior written authorization has been obtained from the Resort Village.
- (3) The provisions of this section do not apply to motorized wheelchairs operated by handicapped or elderly frail persons or to skid steer loaders, tractors, backhoes, or other motorized equipment being utilized for maintenance, construction, or snow removal purposes.

SEIZURE OF BICYCLES & MOTORIZED WHEELED VEHICLES

25. Any Police Officer or Bylaw Enforcement Officer may seize, without warrant, any bicycle or motorized wheeled vehicle that is not capable of being licensed pursuant to The Traffic Safety Act that is being operated or parked in violation and may impound said bicycle or motorized wheeled vehicle for a period not exceeding fourteen (14) days.

PART VI: MOVING VIOLATIONS

Speed Limits

- 26.(1) The speed limit on any public highway in the corporate limits of the Resort Village of Candle Lake shall be 40 km/hour unless otherwise posted.
- (2) Speed limits on Provincial Highway Routes within the corporate limits of the Resort Village shall be established and posted by the Department of Highways and Transportation.
- (3) No person shall operate a vehicle on any public highway more than the posted speed limit.

Obstructing Traffic

- 27.(1) No person shall obstruct, interfere with, or interrupt the free passage of traffic on any public highway.
- (2) No person shall obstruct, interfere with, or interrupt the free passage of traffic on any sidewalk.

General Driving

- 28. No person shall operate a motor vehicle on any public roadway in such a manner as to cause the wheels of the motor vehicle to spin whereby road surface particles may be thrown by the said wheels of the motor vehicle causing a nuisance.
- 29. No person shall drive a motor vehicle, snowmobile, ATV, or golf cart in a cemetery, park area, playground, or public reserve.
 - (a) except those engaged in the regular maintenance of the grounds and the buildings thereon.

- (b) except whereas allowable by the ATV By-law 13-2021 in the installation and removeof docks and boat lifts during dry conditions only.
- 30. No person shall drive motor vehicle, snowmobile, or ATV on a golf course except those engaged in the regular maintenance of the grounds and the buildings thereon.

Splashing

- 31. No person operating a vehicle on a public highway shall:
- (a) splash any pedestrian; or
- (b) project dirt or water at or onto any pedestrian or other vehicle by spinning tires or accelerating quickly.

U-Turns

- 32.(1) Subject to subsection (2), no person operating a vehicle shall turn the vehicle to proceed in the opposite direction at intersections prohibiting U turns.
- (2) No person operating a vehicle, having turned, or turning the vehicle to proceed in the opposite direction shall so proceed until it is safe to do so.

Crossing Fire Hose

33. No person operating a vehicle shall drive the vehicle across or stand a vehicle upon any fire equipment, including a water hose, which is in use or intended to be used by members of the Fire Department.

Engine Retardant Brakes

34. No person operating a vehicle shall use engine retardant brakes in the Resort Village, except to avoid or reduce the impact of a collision or in the case of such other

emergency.

Snowmobiles

35. Notwithstanding the provisions contained in The Snowmobile Act, as amened from time to time, snowmobiles shall only be permitted on public and numbered provincial roadways only for the purposes of crossing the said streets or roadways in a perpendicular manner.

36. No person shill drive or operate a snowmobile on Private property except with the consent of the owner or occupant of said property.

PART VII: TRAFFIC ROUTES

Vehicle Routes, Weights and Dimensions

- 37. (1) The Resort Village of Candle Lake may provide for such times and periods of time in any year as it deems necessary for the protection of any public roadway or portion thereof, or for the avoidance of nuisance conditions in an area, prohibit the operation of vehicles or impose restrictions to the class and gross weight of vehicles that may be transmitted over and upon the public roadway or portion thereof without a permit issued.
- 38. The provisions of The Highways and Transportation Act, 19976 for the Province of Saskatchewan and regulations thereto respecting the maximum dimensions and weight of vehicles shall apply to this bylaw.
- 39. No person shall drive, on any of the public roadways, any vehicle having flanges, cleats, or crawler type tread, nor shall any heavy machinery or tractor of such weight or so equipped as might cause damage to public roadways, be moved, conveyed, or operated on the public roadways until a permit to do so has first been obtained from the Public Works Manager.
- 40. Any person who causes damage to any roadway in the Resort Village of Candle Lake shall be liable for the costs of repairing said damage.
- 41. Heavy vehicles will be permitted to travel in any back alley or on any other roadway providing it is the most direct route to make a delivery.
- 42. Any person operating a vehicle shall comply with a request of a Police Officer or

Bylaw Enforcement Officer to immediately proceed to a weigh scale and there allow the vehicle to be weighed, for the purpose of determining whether the vehicle is a heavy vehicle.

(2) The Administrator is hereby authorized to sign all of the designated heavy vehicular routes with appropriate signage.

PART VIII: ENFORCEMENT

Emergency Traffic Control

- 43. A Police Officer or Bylaw Enforcement Officer is hereby authorized to direct traffic in conformity with this Bylaw and The Highway Traffic Act.
- (2) Notwithstanding any other provision of this Bylaw, a Police Officer or Bylaw Enforcement Officer are hereby authorized to direct traffic in any manner deemed necessary to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether in conformity with this Bylaw or The Highway Traffic Act in the event of a fire, traffic accident, traffic signal malfunction or another emergency.
- (3) No person shall fail to comply with a direction or signal of a Police Officer given under authority of this section.

Chalking Tires

44. Any Bylaw Enforcement Officer, Police Officer, or other person authorized by the Chief of Police or the Administrator for the enforcement of this Bylaw may place an erasable chalk mark on the tread face or side of a tire of any

vehicle parked or stopped.

(2) No person shall obstruct justice by physically removing or erasing a chalk mark placed on the tread face or side of a tire of any vehicle parked or stopped.

Placing Tickets

- 45. No person, other than a Bylaw Enforcement Officer, Police Officer or other person authorized by the Chief of Police or the Administrator for the enforcement of this Bylaw, shall place a parking ticket on any vehicle.
- (2) No person, other than the owner or operator of the vehicle, shall remove a parking ticket from a vehicle.

Penalty

- 46. Subject to subsection (2), any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not less than (\$250.00) dollars and not exceeding (\$2500) dollars.
 - (a) five hundred (\$500.00) dollars in the case of an individual.
 - (b) one thousand (\$2,500.00) dollars in the case of a corporation.
 - (c) in every prosecution for breach of this bylaw the owner of any motor or other vehicle in respect of which the breach was committed shall be liable, as well as the person who committed the breach, unless the owner proves to the satisfaction of the Provincial Court Judge trying the case that at the time of the breach the motor or other vehicle had been stolen from him or taken, without his consent, express or implied, out of his possession or out of the possession of a person entrusted by him with the care thereof.

(2) When a peace officer issues a Summary Offence Ticket Information for a violation of any provision of this Bylaw, that peace officer may enter upon the ticket an amount as prescribed in the Schedule that the Provincial Court will accept as advance voluntary payment.

Impoundment of Vehicles

- 47. Any Bylaw Enforcement Officer, Police Officer or any person authorized by the Chief of Police or the Administrator may remove or cause to be removed any vehicle that is unlawfully parked, placed, left, or kept on any public highway, public parking place, other public place, or municipally owned property.
- (2) Any vehicle removed pursuant to subsection (1):
 - (a) shall be impounded and stored at the Resort Village compound or any other place authorized by the Administrator at the cost of the owner for a period of thirty (30) days after the date of removal of the vehicle unless the costs of removal, impoundment and storage and any outstanding fines are sooner paid.
 - (b) may be released to the owner on payment of the cost of removal, impoundment and storage and any outstanding fines with thirty (30) days after the date of the removal of the vehicle.
- (3) If the vehicle is not redeemed within thirty days, pursuant to the clause (2)(b):
 - (a) the vehicle shall be dealt with as lost or unclaimed personal property.
 - (b) the Resort Village shall have the right to recover from the owner of the vehicle the costs of removal, impoundment, and storage, including the actual cost of

advertising, by:

i. action in a court of competent jurisdiction; or

ii. sale of the vehicle at public auction; or

iii. by private sale of the vehicle where the vehicle cannot be disposed of at a public auction.

Removal of Vehicles

48. Notwithstanding Section 45, any person empowered to remove or move vehicles may cause the removal of a vehicle stopped or parked in contravention of this section within a temporarily closed or regulated public highway and may deposit that vehicle at a location on a public highway in proximity to the original location of the vehicle so moved.

48. This Bylaw shall come into force and take effect from the date on which it is approved by the Highway Traffic Board of the Province of Saskatchewan.

READINGS

Introduced and read a first time this 1st day of June, 2021.

Read for the second time this 9^{th} day of July 2021.

Read fon the third time and passed this 9th day of July 2021.

Mayor Terry Kostyna



Administrator Heather Scott