

Traffic Bylaw

BYLAW 5, 2022

**A BYLAW OF THE VILLAGE OF NEILBURG TO REGULATE THE TRAFFIC  
WITHIN THE VILLAGE AND THE USE OF STREETS.**

The Municipal Council of the Village of Neilburg, in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be cited as the Traffic Bylaw.
2. That all the provisions and enactments set forth in this bylaw shall relate to, and be in full force and effect within the limits of the Village of Neilburg.

**3. DEFINITIONS**

For the purpose of this bylaw, the following terms and words shall have the following meanings:

- a) **"All terrain vehicle"** – and/or **"ATV"** means all terrain vehicles as defined in *The All Terrain Vehicles Act*;
- b) **"Angle parking"** – means the parking of vehicles with the right front wheel draw 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 vehicles to be placed at an angle of forty-five (45) degrees with the curb.
- c) **"boulevard"** means that the portion of the right-of-way that extends from the edge of the street to the property line of the adjacent property, not including the sidewalk.
- d) **"Chief Administrative Officer" or "CAO"** means the chief administrative officer for the Village of Neilburg;
- e) **"Council"** means the council of the Village of Neilburg.
- f) **"curb"** means the lateral boundaries of a roadway, whether or not marked by curbing;
- g) **"Designated officer"** means the Chief Administrative Officer, Royal Canadian Mounted Police, or any other person appointed to enforce municipal bylaws.
- h) **"driver"** means any person who drives or operates, or is in charge of a vehicle on a public highway and includes and operator.
- i) **"Heavy vehicle"** means 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;
- j) **"Lug vehicles"** means any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having a metal track tread;
- k) **"marking"** means any pavement marking installed on the streets for the guidance, regulation, warning, direction or prohibition of traffic;

- l) **“municipality”** means the Village of Neilburg
- m) **“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 street, or a distance of not more than thirty (30) centimeters from such curb;
- n) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- o) **“Parking area”** means any portion of a street or surfaced or unsurfaced area indicated by signs or marking as a place for parking;
- p) **“pedestrian”** means any person afoot and shall include a baby carriage or a disabled persons chair;
- q) **“persons”** includes a corporation or a partnership and women as well as men;
- r) **“Place of public assembly”** means schools, churches, rink and halls;
- s) **“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.
- t) **“Recreational vehicle”** means a self-propelled or towed vehicular type unit, primarily design as a temporary living quarter 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:
- i. Travel trailer;
  - ii. Cabin trailer;
  - iii. Tent trailer;
  - iv. Truck camper;
  - v. Motorhome;
  - vi. Park trailer;
  - vii. Fifth-wheel travel trailer; and
  - viii. Boat trailer
- u) **“sidewalk”** means that portion of the right-of-way designed and intended for or used by pedestrians;
- v) **“Speed zone”** means any portion of the highway within the Village of Neilburg, as a designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- w) **“stopping”** means:
- i. When required, a complete cessation from movement; and
  - ii. When prohibited, any stopping, even momentarily, or 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.
- x) **“street”** means a road, alley, or other place designed and intended for use by the general public for the passage of vehicles and pedestrians, but does not include a parking lot, whether privately or publicly owned.

- y) **“Tire width”** means the width indicated on the tire by the manufacturer.
- z) **“traffic”** means the movement of pedestrians, vehicles, or livestock upon public highways in the Village;
- aa) **“Traffic sign”** means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic;
- bb) **“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;
- cc) **“vehicle”** means a vehicle, trailer or semi-trailer or motor vehicle as ascribed to by *The Traffic Safety Act*.

**4. Obstruction of Traffic**

No person shall obstruct the free passage of traffic on any street or sidewalk.

**5. Emergency Control Measurers**

- a) Any member of the fire department, RCMP, Council, or that is employed by the Village, or is authorized to act on behalf of the Village, is hereby authorized to direct traffic in conformity with the provisions of this bylaw and *The Traffic Safety Act*.
- b) In the case of fire or other emergency or in order to expedite traffic or safeguard pedestrians or prevent accidents or meet any unforeseen conditions, any member of the fire department, member of council, or is employed by the Village, or is authorized to act on behalf of the Village is hereby authorized to direct traffic in such a manner as he may deem necessary whether or not conformity with the provisions of this Bylaw of *The Traffic Safety Act*.
- c) Every person shall comply with any traffic signal or direction given pursuant to this section.

**6. Temporary Closing and Parking on Streets**

- a) Any portion of a public street may be temporarily closed to vehicular traffic by the resolution of the Council of the Village in order that pedestrians may have the exclusive use thereof.
- b) Notwithstanding any other provisions of this bylaw, Village maintenance employees or maintenance contractors have the authority to temporarily prevent parking or stopping and/or prohibit traffic on any public street or portion thereof to allow any work to be carried out by or on behalf of the Village, such work to include but not restricted to the snow removal, cleaning, repairing or maintenance on such public street.

**7. Authority of Council**

- a) Subject to the *Municipalities Act*, the council shall have the right at all times to:
  - i. By resolution, authorize the erection of warning and informational signs as well as what words, if any, shall be placed thereon to abolish or remove same, at its discretion to substitute others in place thereof in

accordance with the intent and meaning of this section and to regulate loading in loading zones on all public streets within the Village and to designate playgrounds and recreational areas.

- ii. By bylaw, authorize the erection of traffic signals, lights, stop and yield signs and also by Bylaw abolish, or remove same, and at its discretion to maintain and/or substitute others in place thereof in accordance with the intent and meaning of this section.

- b) The design, style or shape of signs authorized by Council shall conform to standards in use.

## **8. Stop Streets**

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "Stop" sign erected and maintained in accordance with the provision of Section 7(a)(ii)

## **9. Yield Streets**

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "yield" sign erected and maintained in accordance with the provision of Section 7(a)(ii)

## **10. Protection of and Damage to Signs**

No person shall deface, injure, knock down, remove, obscure or interfere with any warning or direction signs, marker, barricade, signal or light placed, erected, or maintained by the authority of the Council or the Village Maintenance Employee or contractor.

## **11. Use of Signs Forbidden**

No person unless authorized by Council as herein provided shall erect or maintain on any public street in the Village any sign, marker, signal or light.

## **12. Amendment of Schedules**

Any or all schedules to this Bylaw may be amended or substituted from time to time by resolution of Council and shall form part of this bylaw.

## **13. Site Line Restrictions**

The owner or occupant of a lot which abuts more than one street, at the intersection thereof shall not:

- (i) grow or suffer to be grown or allow the growth of any tree, shrub or any plant; or
- (ii) build or suffer to be built or maintain any fence or other structure which exceeds a height of one meter.

## **14. Parking**

- a) Except otherwise provided in this Bylaw or as otherwise provided in any other Bylaw passed by Council either before or after the coming in effect of this Bylaw, the parking of vehicles is permitted on all streets within the municipality.
- b) A vehicle may be parked in any lane or alley for the purpose of taking on or discharging cargo, provided no such vehicle shall be so parked for a

period exceeding 2 hours at one time, unless written permission has first been obtained from the CAO.

- c) Every person parking a vehicle upon a street listed in Appendix 5 shall angle park the same.
- d) No operator of a vehicle shall park said vehicle:
  - i. within any alley or lane;
  - ii. so as to obstruct any private driveway;
  - iii. on all streets or portion thereof as set out in Appendix 4 attached and forming part of this Bylaw, established as streets or portions thereof on which no vehicle shall be parked at any time, and the erection of the appropriate signs by the Village Maintenance Employee or contractor is hereby authorized;
  - iv. in any private parking place or on any private property of which the person is not the owner, occupant, licensee, or permittee, except with the consent of the owner, occupant, licensee or permittee;
  - v. within three (3) meters of a fire hydrant measured parallel to the curb,
  - vi. on any street at one place for any period of time exceeding forty-eight (48) consecutive hours.
  - vii. That has a greater manufacturer rated carrying capacity of more than one (1) ton on any street.

#### **15. Trailer or Semi-Trailer Parked**

- a) No person shall leave a trailer or semi-trailer parked on a street which is unattached from the vehicle for moving same.
- b) Trailers attached to a vehicle that has a manufacturer rated carrying capacity of one ton or less may be permitted to park on a street in the Village of Neilburg for a period not exceeding two (2) hours then must be moved to an off-street location for a minimum of twenty-four (24) hours.
- c) No person shall park a trailer or semi-trailer on a boulevard or the area set aside for a boulevard.
- d) Subsection (2) does not apply to semi-trailers or recreational vehicles.

#### **16. Parking of Recreational Vehicles**

- a) An owner or operator of a recreational vehicle shall not park the recreational vehicle on a street in the Village of Neilburg for more than seventy-two (72) consecutive hours following which the owner or operator shall move the recreational vehicle to an off-street location for a period of not less than seventy-two (72) consecutive hours before the recreational vehicle may be parked again on a street.
- b) No owner or operator of a recreational vehicle shall park the recreational vehicle on any street pursuant to this Subsection in such a manner as to constitute a hazard to other persons using the street.



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- c) No owner or operator of a recreational vehicle shall park the recreational vehicle on a boulevard or an area set aside for a boulevard.
  - d) Any recreational vehicle parked on a street pursuant to this section shall display a current license plate.

### **17. Parking of Unlicensed Vehicles**

No vehicle shall be parked on a public street unless it is displaying license plates for the current year.

### **18. Parking Vehicles Exceeding 7 Meters in Length**

Subject to Sections 17 and 18, no person driving a vehicle, combination of vehicles or other vehicles in excess of 7 meters shall park on any street in the Village of Neilburg for a period longer than two (2) hours.

### **19. Power Turns**

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

### **20. Snowmobiles**

Under the provisions of *The Snowmobile Act*.

- a) A person may operate a snowmobile between the hours of 7:00 am and 11:00 pm on any street within the limits of the municipality for the purpose of leaving the municipality by the most direct route or returning to a residence.

### **21. All Terrain Vehicles or ATV**

Under the provisions of *The All Terrain Vehicle Act*.

- a) No person shall operate an ATV on any municipal property within the limits of the Village of Neilburg except for the purpose of snow removal.
- b) A person may operate an ATV for commercial use in the municipality with written permission from the CAO.
- c) A person may operate an ATV between the hours of 7:00 am and 11:00 pm on any street within the limits of the municipality for the purpose of leaving the municipality by the most direct route or returning to a residence.

### **22. Speed**

- a) No person shall operate a vehicle in the municipality at a speed greater than forty (40) km/hr. or as otherwise posted.
- b) No person shall operate a vehicle at a speed greater than thirty (30) km/hr. in the speed zones as set out in Appendix 6.

### **23. Lug Vehicles**

- a) No person shall propel, operate or drive any lug vehicle upon any street within the municipality without first obtaining a permit in writing from the CAO.
- b) The CAO is hereby authorized to issue permits in writing for the purpose of clause 23 (i) of this bylaw, in any case where the applicant therefore

has signed a written undertaking in Form 1. Appendix 3. Provided that the CAO shall not issue any such permit unless he/she is satisfied that with the reasonable care in operation, the lug vehicle may be propelled or driven over any street without damage.

- c) Nothing contained in clause 23 (i) shall be deemed to preclude the transport of a lug vehicle as herein defined over any street where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

## **Enforcement Provisions**

### **24. All to Comply**

- a) any person who contravenes any of the provisions of this bylaw or fails to comply therewith or with any notice given thereunder shall commit an offence and be liable to the penalty as herein provided.
- b) Any member of the RCMP responsible for the policing of the Village or any person specifically appointed by the Village are hereby designated to enforce all sections of this bylaw.

### **25. Owner of Vehicle**

The owner of the vehicle as defined by *The Traffic Safety Act* shall be liable for violation of any of the provisions of this Bylaw in connection with the operation of a vehicle, unless such owner proves to the satisfaction of a Provincial Magistrate or Justice of the Peace trying the case, that at the time of the offense the vehicle was not being operated by them nor by any person with his consent, expressed or implied.

### **29. Exceptions**

Village of Neilburg employees and contractors are exempt from sections 6, 14, 15 and 18, 21 while in execution of their duties.

### **30. Penalties**

- a) Notwithstanding the provisions of section 28 to the contrary any person who has committed an offense under the sections of this bylaw may be a voluntary penalty of \$250.00.
- b) A violator of any of the subsections of this bylaw, as set out in section 31 upon being served with a notice of violation, may, during regular office hours, voluntarily pay the penalty at the municipal office, and upon payment as provided, that person shall not be liable to prosecution of the offence.
- c) The notice of violation shall be Form 2, Appendix 7, attached to and forming part of this bylaw.

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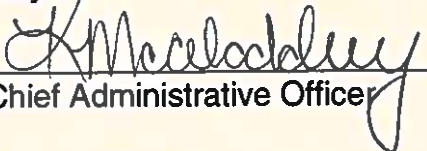
READ a first time the 11<sup>th</sup> day of October, 2022.

READ a second time this 7<sup>th</sup> day of November, 2022.

READ a third and final time approved and adopted for use

this this 7<sup>th</sup> day of November, 2022.



  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Chief Administrative Officer



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**Appendix 1**

**Bylaw 5, 2022**

**“Stop” Streets (Section 8)**

<b><u>Street or Avenue</u></b>	<b><u>Where intersected by street or avenue</u></b>
1. 4 <sup>th</sup> Avenue E	Centre Street
2. 3 <sup>rd</sup> Avenue E	Centre Street
3. 3 <sup>rd</sup> Avenue W	Centre Street
4. 2 <sup>nd</sup> Avenue	Centre Street
5. 1 <sup>st</sup> Avenue W	Centre Street
6. 1 <sup>st</sup> Avenue E	Centre Street
7. Railway Ave West	Centre Street
8. Monarch Court	4 <sup>th</sup> Avenue E
9. 3 <sup>rd</sup> Street NE	4 <sup>th</sup> Avenue E
10. 2 <sup>nd</sup> Street West	HWY 40
11. Centre Street	HWY 40
12. Williams Industrial Drive	HWY 40

Appendix 2

Bylaw 5, 2022

“Yield” Streets (Section 9)

<u>Street or Avenue</u>	<u>Where intersected by street or avenue</u>
3 <sup>rd</sup> Avenue West	2 <sup>nd</sup> Street West
2 <sup>nd</sup> Avenue	2 <sup>nd</sup> Street West
1 <sup>st</sup> Avenue West	2 <sup>nd</sup> Street West
Railway Ave West	2 <sup>nd</sup> Street West
1 <sup>st</sup> Street West	3 <sup>rd</sup> Avenue West
1 <sup>st</sup> Street West	2 <sup>nd</sup> Avenue
1 <sup>st</sup> Street West	1 <sup>st</sup> Avenue West
1 <sup>st</sup> Street West	Railway Ave West
1 <sup>st</sup> Street East	1 <sup>st</sup> Avenue East
2 <sup>nd</sup> Street East	1 <sup>st</sup> Avenue East
1 <sup>st</sup> Street East	Railway Ave East
2 <sup>nd</sup> Street East	Railway Ave East
3 <sup>rd</sup> Street East	Railway Ave East

**Appendix 3**

**Form 1**

**Bylaw 5, 2022**

**PERMIT FOR OPERATION OF LUG VEHICLE (section 23)**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Type of Vehicle:** \_\_\_\_\_

**Route:** \_\_\_\_\_

**Deposit: \$250.00**

**I declare that:**

- (1) I will use reasonable care in propelling, operating or driving such lug vehicles over the street to prevent any damage resulting to the street.
- (2) I will pay for all damages caused to such street or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.
- (3) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.

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

\_\_\_\_\_  
Chief Administrative Officer

**Appendix 4**

**Bylaw 5, 2022**

**“No Parking” Areas**

<b>Street or Avenue</b>	<b>From</b>	<b>To</b>
Williams Industrial Drive	South Side of Fire Hall	North Side of Fire Hall

**Appendix 5**

**Bylaw 5, 2022**

**“Angle Parking” Areas**

<b>Street or Avenue</b>	<b>From</b>	<b>To</b>
Centre Street	Railway Ave West	2 <sup>nd</sup> Avenue

**Appendix 6**

**Bylaw 5, 2022**

**“Speed Zones”**

<b><u>Street or Avenue</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
School- Centre Street	Hwy 40	2 <sup>nd</sup> Avenue



**Appendix 7**

**Form 2**

**Bylaw 5, 2022**

**Notice of Violation**

**Village of Neilburg**

**Name:**

**Address:**

**Details of Offence:**

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ A.M or P.M License#: \_\_\_\_\_

**DESCRIPTION OF VIOLATION:**

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

**LOCATION OF VIOLATION:**

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

You are charged with violation of: Bylaw No. \_\_\_\_\_

Section(s) \_\_\_\_\_

Penalty for the above violation: \$250.00

\_\_\_\_\_  
Designated Officer