

## BYLAW # 9/2012

### A BYLAW OF THE RESORT VILLAGE OF MANITOU BEACH TO REGULATE THE OPERATION, THE PARKING AND THE USE OF THE HIGHWAYS WITHIN THE LIMITS OF THE RESORT VILLAGE OF MANITOU BEACH

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The council of the Resort Village of Manitou Beach, in the Province of Saskatchewan enacts as follows:

#### 1. Interpretation

- a) **Angle parking** – means the parking of vehicles with the right front wheel drawn up to the curb on the right hand of the highway, or at a distance of not more than 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 Resort Village of Manitou Beach
- c) **Curb** – means the lateral boundaries of a roadway, whether or not marked by curbing
- d) **Heavy vehicle** – means a vehicle with or without load which alone or together with trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes or more
- e) **Highway** – means a road, parkway, 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 Highway Traffic Act*
- f) **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
- g) **Municipality** – means the Resort Village of Manitou Beach
- h) **One-way highway** – means highway as ascribed to it by *The Highway Traffic Act*
- i) **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 30 centimeters from such curb
- j) **Park, parking** – have the meanings as ascribed thereto by *The Highway Traffic Act*
- k) **Place of public assembly** – means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls
- l) **Power turns** – means to maneuver a vehicle in such a manner as to cause part of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking
- m) **Special constable** – means the Royal Canadian Mounted Police or person appointed to enforce municipal bylaws

- n) **Speed zone** – means any portion of a highway within the Resort Village of Manitou Beach as designated therein and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto
- o) **Stunting** – means, whether as pedestrian, passenger, or driver and whether or not with the use or aid of any vehicle or other thing, performing or engaging in any stunt or other activity on a highway that is likely to distract, startle or interfere with other users of the highway
- p) **Trailer** – means a motor home, cabin trailer, tent trailer, mobile home, boat trailer or any other such recreation vehicle and shall include utility trailers
- q) **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
- r) **Vehicle** – has the meaning of a vehicle, trailer, semi-trailer or a motor vehicle ascribed to it by *The Highway Traffic Act*

## 2. Infractions

- a) **“Stop” Streets** – The provisions of *The Highway Traffic Act* 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 Highway Traffic Act* shall apply to all traffic approaching and facing a “yield” sign erected and maintained in accordance with the provisions of Section 4(b)
- c) **Miscellaneous Signs**
  - 1) No person, 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.
- d) **School Bus Flashing Lights** – The operator of a school bus when operating a school bus on public highways in the municipality shall be allowed to activate the safety lights.
- e) **Lug Vehicles**
  - 1) No person shall propel, operate or drive any lug vehicles upon any highway within the municipality without first having obtained from the administrator, a permit in writing authorizing same.
  - 2) The administrator is hereby authorized to issue permits in writing for the purpose of subsection 2(e)(1) of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 4. Provided that the administrator, shall not issue any such permit unless 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 subsection 2(e)(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.
- f) **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 2(f)(2)(ii) no person shall park a vehicle in any lane, or in any street to obstruct the entrance to any lane, to a driveway or an approach leading to private premises;
    - (ii) notwithstanding the provisions of subsection 2(f)(2)(i) a vehicle may be parked on any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding 30 minutes at any one time, unless written permission has first been obtained from the administrator or a special constable for the municipality for an extension of such time limit.

- 3) No person shall park a vehicle in any “No Parking” area at any time where such areas are marked on the curb or otherwise signs erected and maintained in accordance with the provisions of subsection 4(b) to indicate that parking is prohibited.
- 4) No person shall park a vehicle within 5 meters of a street intersection or a fire hydrant.
- 5) No person shall park a vehicle on any highway at one place for any period of time exceeding 7 consecutive days.
- 6)
  - (i) Subject to subsection 2(f)(7)(ii), no person shall park any commercial vehicle designated for carrying or intended for the carrying of oil, gasoline, or other flammable, combustible or explosive material within 30 meters 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 or public assembly;
  - (ii) nothing in subsection 2(f)(7)(i) shall be deemed to restrict the parking of any vehicle for such period of time as may be necessary to take on or discharge cargo.
- 7) Subject to the provisions of subsections 2(f)(2)(ii) and 2(f)(7), no one shall park in such a manner so as to obstruct traffic.
- 8) No person shall park a trailer on any highway within the village limits except by special permit issued by the administrator designate.
- 9) Vehicles used for camping or lodging will not be allowed to park overnight on any highway within the village limits.

**g) Power Turns and Stunting** - The operator of a vehicle shall not execute “power turns” or participate in any “stunting” on any highway in the municipality.

**h) Speed** - No person shall be permitted to operate a vehicle on a highway within the municipality at a speed greater than 40km/hour unless otherwise posted.

**i) Commercial Vehicles and Equipment** - No person shall be permitted to park any commercial vehicle or equipment on any highway in the municipality for a period exceeding 30 minutes without written authorization from the administrator or designate.

**j) Vehicles on Public Reserves**

- 1) No person shall park a vehicle on any municipal property overnight without written authorization from the administrator or designate.
- 2) No motorized vehicle shall be allowed in any municipal property except those designated as parking areas.
- 3) Detached trailers shall not be allowed on any municipal property without written authorization from the administrator or designate.
- 4) Vehicles used for camping or lodging will not be allowed to park overnight on any public reserve in the Resort Village of Manitou Beach except the area designated as over flow camping, only to be allowed when the Manitou District campground is full.

**k) Signs** - Council shall cause to be erected and maintained all street signs and such signs as it may deem expedient for warning, guidance, directions or information thereon.

**l) Penalties**

a) Any person who contravenes any of the provisions of subsection 2 (c) (1) or 2 (c) (2) of this bylaw is guilty of an offence and liable on summary conviction to the penalties provided in the General Penalties Bylaw of the municipality.

(b) A person who contravenes any of the provisions of the following subsections of this bylaw or fails to comply therewith or with any notice or order given thereunder shall be guilty of an offence and upon conviction shall be liable to penalties as follows:

First <u>Offence</u>	Repeat <u>Offence</u>
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1) subsections 2 (f) (1, 2, 3, 4, 5, 6, 7, 8 and 9)	\$25.00	\$50.00
2) subsection 2 (g)	\$50.00	\$100.00
3) subsection 2 (h)	\$70.00 plus \$1 per kilometer over the posted limit	
4) subsection 2 (j)	\$25.00	\$50.00

- (c) 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 the regular office hours, voluntarily pay the penalty at the municipal office, and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- (d) The Notice of Violation shall be in Form “2”, attached to and forming part of this bylaw.

**m) Impounding**

- a) Any member of the police force, special constable or other person appointed by the 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 municipality owned property and to impound or store such a vehicle.
- b) Where a vehicle has been impounded or stored after it has been removed under subsection m (a) it will be retained at a place designated by council for a period of thirty (30) days from date of removal, unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.
- c) If the costs of removal, impounding and storage are not paid within the period of thirty (30) days as specified in subsection m (b) the municipality shall have the right to recover same from the owner of the vehicle by:
- i) legal action in a court of competent jurisdiction
  - ii) sale by public auction or sealed tender with a notice being sent to the owner at the address appearing on the last registration of the vehicle.

Seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Read a first time November 5, 2012 motion #273/2012  
 Read a second time November 19, 2012 motion # 281/2012  
 Read a third time and passed December 10, 2012 motion #296/2012

# RESORT VILLAGE OF MANITOU BEACH

701 LAKEVIEW AVENUE, MANITOU BEACH SK S0K 4T1

PHONE: (306) 946-2831 FAX: (306) 946-2017

EMAIL: manbe@sasktel.net WEBSITE: www.manitoubeach.ca

## PERMIT FOR OPERATION OF LUG VEHICLES

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

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

\_\_\_\_\_

Phone #: \_\_\_\_\_

Type of vehicle: \_\_\_\_\_

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

I declare that:

- 1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.
- 2) I will pay for all damages caused to such highway or to any bridge or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.

\_\_\_\_\_

Owner/operator

# RESORT VILLAGE OF MANITOU BEACH

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PHONE: (306) 946-2831 FAX: (306) 946-2017

EMAIL: manbe@sasktel.net WEBSITE: www.manitoubeach.ca

## NOTICE OF VIOLATION

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

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

\_\_\_\_\_

Phone #: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the Resort Village of Manitou Beach,

Saskatchewan at \_\_\_\_\_ am/pm did unlawfully commit the following offence:

DESCRIPTION OF OFFENCE:

LOCATION OF OFFENCE:

You are charged with violation of Bylaw # \_\_\_\_\_ Section(s) Number \_\_\_\_\_

Penalty for above violation:

\_\_\_\_\_ may be paid voluntarily

\_\_\_\_\_ may not be paid voluntarily

\_\_\_\_\_

Special Constable

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violations is \$50.00 or less you may make voluntary payment of the above penalty at the municipal office of the Resort Village of Manitou Beach during regular office hours or by mail within 15 days from the date of service of the Notice of Violation. If you do not make a voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction, you shall be liable to the penalty above provided under section \_\_\_\_\_ of the said bylaw.