

TOWN OF MAPLE CREEK

BYLAW NO. 2015-MC-16

A BYLAW OF THE TOWN OF MAPLE CREEK, IN THE PROVINCE OF SASKATCHEWAN TO SUPPLEMENT *THE TRAFFIC SAFETY ACT, 1997*, AND TO REGULATE VEHICLE AND PEDESTRIAN TRAFFIC UPON THE STREETS OF THE TOWN OF MAPLE CREEK

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

1. Interpretation in this Bylaw:

- A) **“Administrator”** means the Administrator of the Town;
- B) **“Bicycle”** means a two or three-wheeled device that is propelled by muscular power but does not include a tricycle propelled by a person under six (6) years of age;
- C) **“All Terrain Vehicle”** as defined in the All Terrain Vehicles Act, (Section 2, 1, b), means a self-propelled vehicle that is designed primarily for the movement of people or goods on unprepared surfaces and has wheels in contact with the ground and includes a restricted use motorcycle, a mini-bike and an all terrain cycle;
- D) **“Curb”** means the lateral boundaries of roadway, whether or not marked by curbing;
- E) **“Disabled Persons’ Parking Area”** means all that portion of any street public place or shopping center parking lot that has been designated by sign or other marking for the exclusive parking of disabled persons’ vehicles;
- F) **“Disabled Persons’ Vehicle”** means 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 government jurisdiction;
- G) **“Driver or Operator”** means any person who drives, operates, is in charge of or is in actual physical control of a vehicle including a driver, leader or rider of an animal;
- H) **“Emergency Vehicle”** means any vehicle of the Fire Department, the Royal Canadian Mounted Police, any licensed ambulance, any military vehicle or any vehicle designated as an emergency vehicle by a member of the Royal Canadian Mounted Police;
- I) **“Engine Brake”** means a device commonly used in trucks, power units, semi-trailer units or other vehicles to slow or brake the said vehicle by means of closing exhaust valves on the engine of said vehicle; or any similar device.
- J) **“Fire Lane”** means that area designated by a sign or a marking as a fire lane;
- K) **“Heavy Vehicle”** means a motor vehicle with a registered gross vehicle weight exceeding 9,000 kilograms or more, or a vehicle, including any combination of vehicles, with a total gross vehicle weight exceeding 9,000 kilograms;
- L) **“Highway”** means any highway as defined in *The Traffic Safety Act*, within the municipality, but does not include a provincial highway therein as designated pursuant to the provisions of *The Traffic Safety Act*;
- M) **“Lug Vehicle”** means 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 metal track tread;

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- N) **“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, and at a distance of not more than thirty (30) centimetres from such curb;
- O) **“Park”** have the meanings ascribed thereto by The *Traffic Safety Act*;
- P) **“Parking”** means the standing of a vehicle, whether occupied or not, on a street, otherwise that temporarily for the purpose and while actually engaged in loading or unloading or in abeyance to traffic regulations, signs or signals;
- Q) **“Place of Public Assembly”** means schools, theatres, moving picture theatres, churches, hockey and skating rink, dance halls and public assembly halls;
- R) **“Police Officer” and “Peace Officer”** means a member of the Royal Canadian Mounted Police and/or any person appointed by the Town to enforce this bylaw;
- S) **“Power Turn”** means to maneuver a vehicle in such a manner to cause the rear of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking;
- T) **“Power Unit” means** a motor vehicle designed and used primarily for pulling a semi-trailer;
- U) **“Private Driveway”** means every road intended for private use and not open to the public for the purposes of vehicular traffic;
- V) **“Semi-Trailer”** means a vehicle that is at any time drawn on a highway by a motor vehicle and that is designed for the conveyance of goods or as living quarters for persons and so that its weight and the weight of its load is carried partly on its own axles and partly on another vehicle, but does not include:
- i) an agricultural implement;
 - ii) timbers or metal beams with wheels attached used for the purpose of moving buildings;
 - iii) an asphalt distributor used for the construction or maintenance of bituminous surfaced highways; or
 - iv) an axle unit with a fifth wheel assembly used to convert a semi-trailer to a trailer;
- W) **“Signs”** means any sign, signal, marking or other device installed for the guidance, regulation, warning, direction or prohibition of traffic, parking, standing or stopping;
- X) **“Snowmobiles”** as defined in *Traffic Safety Act*, 1997(Section 2, 1), means a vehicle that is not equipped with wheels but is equipped with tractor treads alone or with skis or with skis and a propeller or is a toboggan equipped with tractor treads or a propeller and is designed primarily for operating over snow and is used exclusively for that purpose and is designed to be self propelled and does not weigh more than 500 kilograms. Other than any vehicle that is designed to accommodate eight or more persons and is used for the transportation of goods or persons;
- Y) **“Speed Zone”** means any portion of a highway within the Town, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;

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- Z) **“Stop”** means:
- i) when required, a complete cessation from movement; or
 - ii) when prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic control signal;
- AA) **“Town”** means the Town of Maple Creek;
- 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 “motor vehicle” as defined in The *Traffic Safety Act* or any Act as may be passed in its stead from time to time and includes a device in, upon or by which a person or thing is or may be transported or drawn upon a street and includes special mobile machines and agricultural implements, and, for the purpose of parking and stopping restrictions, includes any portion of a vehicle but does not include a wheelchair.

2. Interpretation

- A) Wherever in this Bylaw the expression “Vehicle”, “Vehicular” and “Vehicular Traffic” is used, it means and shall be held to include, for the purpose of prosecution under this Bylaw, the driver or operator.
- B) Any other words shall, insofar as they are not consistent with this Bylaw, have the same meaning as in The *Traffic Safety Act*, and amendments thereto.
- C) Unless the context other wise requires, words, importing the singular number shall include the plural and vice versa; words importing the masculine gender shall include the feminine and neutral genders.

3. Scope:

- A) **“Stop Streets”** -The highways as listed in Appendix 1 are designated as “Stop Streets”
- B) **“Yield Streets”** -The highways as listed in Appendix 2 are designated as “Yield Streets”
- C) **No “U-Turn” - Intersections** -The intersections of the highways, approached from all four (4) directions as listed in Appendix 3 are designated as “No U-Turn” Intersections.

4. Infractions:

- A) **“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 provisions of Section 11(A).
- B) **“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 provisions of Section 11(A).

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- C) **Miscellaneous Signs:** 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.
- i) No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this bylaw.
- D) **Lug Vehicles:**
- i) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained from the Clerk, a permit in writing authorizing same.
- ii) The Clerk is hereby authorized to issue permits in writing for the purpose of Section 4(D)(i), of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 8. Provided that the Clerk 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 to any bridge or culvert thereon.
- iii) Nothing contained in Section 4(D)(i), 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:**
- i) Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- a) Subject to the provisions of Subsection 4(E)(i) (b) no person shall park a vehicle in any lane, nor in any street so as to obstruct a lane, the entrance to any lane, or to a driveway or approach leading to private premises;
- b) Notwithstanding the provisions of Subsection 4(E)(i)(a), a farm truck or commercial vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such truck or 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 police officer of the municipality for an extension of such time limit.
- ii) Every person parking a vehicle upon a highway within the Town where parking is permitted shall parallel park same on the right side of the highway within thirty (30) centimetres of the curb, in the proper direction.
- iii) No person shall park a vehicle within five (5) meters of a street or lane intersection or a fire hydrant.
- iv) No person shall park a vehicle in a "No Parking" area as designated in Appendix 4 at any time unless signs indicate otherwise whether such areas are marked on the curb or by signs erected and maintained in accordance with the provision of Section 11(D), to indicate that parking therein is prohibited.

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- v) No person shall park a vehicle on any highway at one place for any period of time exceeding seventy-two (72) consecutive hours.
- vi) No person shall park any vehicle in any private parking place or on any private property, unless he/she 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.
- vii) No person shall park a vehicle on a street or in a publicly owned parking lot unless it displays license plates with current and valid validation stickers attached to each license plate as prescribed in *The Vehicle Administration Act*, S.S. 1986 c V-2.1:
 - a) Section E(vii) does not apply to an emergency vehicle.
- viii) No person shall park a vehicle in the designated Disabled Parking zones area in Appendix 4 unless the vehicle displays a handicap placard in the vehicle's front windshield:
 - b) Section E(viii) does not apply to an emergency vehicle.
- ix) Subject to Subsection 4(E)(ix)(a), no person shall park any commercial vehicle designed for carrying or intended for the carrying of oil, gasoline, or other inflammable, 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 of public assembly;
 - a) Nothing in Section 4 (E) (ix) 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;
 - b) A commercial vehicle may park on any street or avenue designated in Appendix 5 for a period of up to thirty (30) minutes while loading or unloading a load;
 - c) Upon written permission from the clerk or a police officer the period of time mentioned in Subsection 4(E)(ix)(a) may be extended.
- x) No person shall park between the signs in the areas designated in Appendix 5 (A) of this bylaw except for the purpose of loading and unloading.
- xi) No person shall leave a trailer or semi-trailer parked on a public street which is unattached from a vehicle used for moving same.
- xii) No person shall park a vehicle at any time in the lane between Jasper Street and Maple Street running between 1st Avenue and 2nd Avenue as this area has been designated a Fire Lane.

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- xiii) No person shall park any part of a vehicle on any boulevard or sidewalk within the municipality except as noted herein;
 - a) parking shall be permitted on the boulevard on the north side of Pacific Avenue, excluding that portion of the boulevard that is adjacent to the Land of the Living Skies Park;
 - b) parking shall be permitted on the boulevard on the north and south side of the 100 and 200 Block of Claustre Avenue.
 - c) any resident may make application to the Council for a permit to park on the boulevard at their residence. Granting of such permits shall be on a case by case basis and at the sole discretion of the Council.

5. Manner of Driving:

A) Speed Limits

- i) Subject to Subsection 5(A)(ii) no person shall operate a vehicle in the municipality at a speed greater than forty (40) km/hr.
- ii) 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.
- iii) No person shall operate a vehicle at a speed greater than twenty (20) km per hour in any lane or alley within the Town of Maple Creek municipal boundaries.

B) School Zones:

- i) The Operator of a School Bus when operating a school bus on public highways in the Town of Maple Creek shall activate the safety lights in school zones.

C) U-turns:

- i) No person shall cause a vehicle to make a U-turn between intersections, and at the intersections of a highway with a lane or an alley in the municipality.
- ii) No person shall cause a vehicle to make a U-Turn at the intersections designated as “No U-Turn” (Appendix 3) intersections. This shall apply to all traffic approaching and facing a “No U-Turn” sign erected and maintained in accordance with the provisions of Section 11(C).
- iii) No person shall drive a vehicle in such a manner as to cause it to make power turns or to cause the tires to squeal or to cause the vehicle to make excessive noise within town limits.

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D) **Weight Restrictions - Heavy Vehicle Route:**

- i) No person shall operate a vehicle, or combination of vehicles having a registered gross vehicle weight exceeding 9,000 kilogram or a vehicle or combination of vehicles having a gross vehicle weight exceeding 9,000 kilograms except on a highway within the municipality designated as the Heavy Vehicle Route.
- ii) Subject to subsection 5(D)(i) no person shall operate a vehicle, or combination of vehicles having a registered gross vehicle weight exceeding 1 tonne on the highway of the 100 and 200 block of Lonsdale Street within the municipality.
- iii) Subject to subsection 5(D)(i) no person shall exceed the maximum gross vehicle weights allowed on a secondary provincial highway or municipal highway weight limits as set out in the *Vehicle Weight and Dimensions Regulations, 1999*.
- iv) Subsection 5(D)(i) does not apply to passenger buses or recreation vehicles.
- v) Subsection 5(D)(i), shall not apply to vehicles making delivery on any highway in the municipality provided that the operator of the vehicle(s) uses the most direct route from and to the heavy vehicle route, as listed below.
- vi) Subsections 5(D)(i), shall not apply for driver testing purposes, Class 1, 2 and 3 vehicles being used for testing purposes by Traffic Safety Services (Driver Development SGI).
- vii) The provisions of The Police Act, The *Traffic Safety Act* and *Vehicle Weight and Dimensions Regulation 1999* shall apply to the operators of vehicles referred to in Subsection 5(D)(i). and 5(D)(ii)
 - a) Heavy Haul Route (724)
 - b) Highway 21 North
 - c) Highway 21 South
 - d) Pacific Avenue West
 - e) Pacific Avenue East
 - f) 1st Avenue North
 - g) Fifth Avenue upon receipt of special permit from the Town of Maple Creek.

6. **Engine Running:**

- A) No person shall permit or allow any vehicle in his charge or control to stop in any public parking stall with the engine running unless:
 - i) The vehicle is securely locked and the emergency brake is on; or
 - ii) The vehicle is occupied by or under the control of the driver, operator or another responsible person.

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7. Vehicles on Public Reserves:

- A) No person may operate or park a vehicle on any areas designated on Appendix 7;
- B) The provisions of Subsection 7(A), shall not apply to maintenance or emergency vehicles or vehicles using a designated parking area.

8. Bicycles, Skateboards, Roller Blades and Scooters:

- A) Insofar as is practical, bicycle, skateboards, roller blades and scooters operators shall observe this bylaw and The *Traffic Safety Act* while traveling on highways in Town;
- B) Every owner of a bicycle shall register it at the Town Office, pay the license fee prescribed by the Town and affix the license to the bicycle;
- C) No bicycle driver shall carry a passenger on the bicycle handlebars or crossbars;
- D) No person shall operate a bicycle:
 - i) without having at least one hand on the handlebars;
 - ii) on a sidewalk;
 - iii) at night without showing a white light on the front and a red reflective device on the back of the bicycle;
 - a) in a reckless manner;
 - iv) while riding abreast of another cyclist except for the purpose of passing on the left side;
 - v) while performing or attempting to perform any trick-riding or acrobat performance thereon;
- E) No person shall place a bicycle in a reclining position on any street, sidewalk or public place.
- F) No person shall race, run, crowd, ride a human powered device or jostle other pedestrians on a street or sidewalk so as to create discomfort or confusion for other pedestrians.
- G) No person shall skateboard on a street or sidewalk or other public place within the Downtown Business Core Area as shown on Appendix "10", attached hereto and forming a part of this Bylaw.

9. All Terrain Vehicles and Snowmobiles:

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- A) No person(s) shall operate an All Terrain Vehicle or Snowmobile on:
- i) any private land in the Town of Maple Creek;
 - ii) any municipal land in the Town of Maple Creek;
 - iii) any Crown land in the Town of Maple Creek which is used or occupied otherwise than by the Crown.
 - iv) Highway 21 except as noted in this bylaw.
- B) Snowmobile operators must operate snowmobiles in accordance with The *Traffic Safety Act* and *The Snowmobile Act*
- C) Notwithstanding the provisions contained in *The Snowmobile Act*, 1997 (and subject to section 9. B), it shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 11:00 p.m. on any public highway within the Town of Maple Creek indicated in Appendix 11, except Provincial Highway No. 21 within the limits of the municipality, for the purpose of a direct route to and from the boundaries of the Town, with the exception of refueling.
- D) Notwithstanding subsection 9(C) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Provincial Highway No. 21 for the purpose of crossing the provincial highway provided:
- i) that any snowmobile crossing Highway No. 21 comes to a full stop prior to crossing;
 - ii) that the snowmobile takes the most direct route across Highway 21;
 - iii) any snowmobile entering onto Highway No. 21 shall do so from an established Public Highway approach.
- E) Notwithstanding the provisions contained in All Terrain Vehicles in accordance with The *Traffic Safety Act* and the *All Terrain Vehicle Act*, (and subject to section 9. F), it shall be lawful to operate an All Terrain Vehicle between the hours of 7:00 a.m. and 11:00 p.m. on any public highway within the Town of Maple Creek indicated in Appendix 11, except Provincial Highway No. 21 within the limits of the municipality, for the purpose of a direct route to and from the boundaries of the Town providing, with the exception of refueling:
- i) that any all terrain vehicle crossing Highway No. 21 comes to a full stop prior to crossing;
 - ii) that the all terrain vehicle takes the most direct route across Highway 21;
 - iii) that any all terrain vehicle entering onto Highway No. 21 shall do so from an established Public Highway approach.
- F) Notwithstanding subsection 9(E) of this bylaw, it shall be lawful to operate an all terrain vehicle on the portion of Provincial Highway No. 21 for the purpose of crossing the provincial highway providing that:
- i) any all terrain vehicle crossing Highway No. 21 comes to a full stop prior to crossing;
 - ii) the all terrain vehicle takes the most direct route across Highway 21;
 - iii) any all terrain vehicle entering onto Highway No. 21 shall do so from an established Public Highway approach.

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- G) Notwithstanding the provisions contained in the All Terrain Vehicles Act, it shall be lawful to operate an all terrain vehicle for the purpose of private property maintenance.
- H) Notwithstanding the provisions contained in the All Terrain Vehicles Act, it shall be lawful to operate an all terrain vehicle for the purpose of snow removal from sidewalks and other municipal property within the Town of Maple Creek provided that:
 - i) The all terrain vehicle is equipped with a snow blade that has been designed and manufactured for all terrain vehicles.
 - ii) The all terrain vehicle is equipped with an amber or clear strobe light.
 - iii) The operator of the all terrain vehicle must not be under the age of 16 and must possess a valid driver's license.
 - iv) The operator must wear a helmet that meets the requirements as stated in the All Terrains Act.
- I) Any person operating an all terrain vehicle shall require third party liability insurance coverage.

10. Golf Carts:

- A) It shall be lawful to operate a golf cart during the hours between sunrise and one half hour after sunset on all public highways within the limits of the Town of Maple Creek, with the exception of Pacific Avenue, Jasper Street and Sidney Street.
- B) Persons operating a golf cart on the public highways within the limits of the Town of Maple Creek must be using the golf cart for the sole purpose of transportation to and from the Golf Course, by the direct shortest distance between the Golf Course and where the golf cart is stored; with the exception of refueling.
- C) Golf carts shall carry a slow moving warning device at the rear, as near to the centre as practicable with one side parallel to and not less than 300 millimeters nor more than 1200 millimeters from the ground.
- D) No person shall operate a golf cart on the public highways within the limits of the Town of Maple Creek without a valid driver's license.
- E) Any person operating a golf cart shall require third party liability insurance coverage.

11. Signs:

- A) Council shall cause to be erected and maintained at all stop streets listed in Appendix 1, at a distance of approximately three (3) metres from point of intersection, an appropriate sign containing the word "Stop" so placed to face the traffic approaching the intersection.
- B) Council shall cause to be erected and maintained at all yield streets listed in Appendix 2, at a distance of approximately three (3) metres from point of intersection, an appropriate "Yield" sign so placed to face the traffic approaching the intersection.

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- C) Council shall cause to be erected and maintained at all “No U-Turn” intersections as listed in Appendix 3, at a distance of approximately three (3) metres from point of intersection, an appropriate sign prohibiting U-turns, so placed to face the traffic approaching the intersection.
- D) Council shall cause to be erected and maintained at all “No Parking” areas as shown on Appendix 4, appropriate signs and/or curb markings. Such signs or curb markings shall be visible from that part of the highway to which the restriction applies.
- E) Unless otherwise directed by a Police Officer, pedestrians or drivers of vehicles shall comply with all permanent and temporary signs, traffic control systems and any marking, barrier or device that has been placed or is maintained by the authority of the Council or by a Police Officer.

12. General:

- A) All traffic on the street and sidewalks, notwithstanding the provisions of this Bylaw, will be subject to any temporary or emergency direction of the Police, Administrator or Fire Chief for the purpose of relieving congestion of traffic, preventing accidents, performing maintenance or street cleaning or meeting unforeseen conditions.
- B) No person operating a vehicle shall cross a fire hose or any fire equipment unless it is protected with planking and provisions have been made to cross it by the Fire Department.

13. Temporary Street Closures:

- A) Notwithstanding any other provision in this Bylaw, the Town shall have the authority to temporarily close to vehicular traffic or restrict traffic, parking or stopping on any street for the purpose of:
 - i) enabling work to be carried out by or on behalf of the Town, including road maintenance, street cleaning, snow removal or sewer or water line construction, repair or improvements;
 - ii) facilitating the moving of any building, structure, machine or other object for which a permit has been issued by the town;
 - iii) facilitating the construction, repair, or demolition of a building, structure or other object for which a permit has been issued by the town;
 - iv) facilitating public gatherings.
- B) Notwithstanding any other provision of this Bylaw, a Police Officer or a person authorized by the Town to enforce this Bylaw shall have the authority to temporarily close to vehicular traffic or restrict traffic, parking or stopping on any street to avoid traffic congestion, danger, accident, traffic signal malfunction or other emergency.
- C) Where a street has been closed pursuant to Subsection 13(A), the Town shall install such temporary stop, yield, parking or detour signs as may be required.
- D) For the purpose of street repair and maintenance, the Town may move, for such distance as is necessary, any vehicle that is parking on any street or portion thereof which is roped off, barricaded or indicated by notice or sign as being closed.
- E) No person shall drive, park or stop a vehicle or walk on any street or portion

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thereof that is roped off, barricaded or indicated by sign or notice as being closed.

- F) Notwithstanding any other provisions of this Bylaw, a Police Officer is hereby authorized to direct traffic in any manner he deems 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 event of a fire, accident, traffic control system device malfunction or other emergency.
- G) Notwithstanding any other provision of this Bylaw, in the case of fire or other emergency and no Police Officer or authorized Town employee is present, an officer of the Fire Department is authorized to direct traffic in such a manner as he deems necessary whether or not his directions are in conformity with the provisions of this Bylaw or The *Traffic Safety Act*.

14. Obstruction Sidewalk or Street:

- A) No person shall obstruct the free passage of traffic on any sidewalk or street without first securing a permit from the Town.
- B) Section 14(A) shall not be construed as prohibiting the gathering of individuals on any street for a lawful purpose so long as the proceedings there are peaceable and orderly, and sufficient space is left both on the sidewalks and street to accommodate the traffic on the sidewalks and streets.

15. Pedestrian Crossings:

- A) No driver of a vehicle upon the public highways in Maple Creek shall drive within a clearly marked pedestrian crossing(s) when occupied by a pedestrian(s), the driver of a vehicle shall stop and yield the right of way to any pedestrian(s) within a clearly marked pedestrian crossing upon the public highways within Maple Creek.
- B) Where a vehicle has been stopped as required in 15 (A) no driver of a vehicle proceeding in the same direction shall overtake and/or pass the first mentioned vehicle.

16. Engine Brake:

- A) No person(s) shall within the Town of Maple Creek shall engage, operate or otherwise use an engine brake on any vehicle within town limits, with the exception of an emergency situation where it is necessary to do so.

17. Penalties:

- A) Except where otherwise specified in this Bylaw, any person who contravenes any provision of this Bylaw is guilty of an offense punishable on summary conviction by a fine in an amount not exceeding:
- B) Two thousand (\$2000.00) dollars in the case of an individual;
- C) Five thousand (\$5000.00) dollars in the case of a corporation.

18. Contravention of Bylaw:

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- A) When a Police Officer or other person authorized by the Town to enforce this Bylaw has reason to believe that a person or vehicle has contravened any provision of this Bylaw, that Police Officer or other person authorized to enforce this Bylaw may issue a Summons to the person. Service of the Summons may be made by anyone of the following methods, and if so made shall be deemed to be effective service for the purposes of this bylaw:
- i) in the case of an individual;
 - a) by delivering it personally to the individual;
 - b) by placing the Summons on the vehicle in respect of which an offence is alleged to have been committed;
 - c) by sending it by registered mail at the individual's last known address;
 - d) in case of a parking violation, by regular mail.
 - ii) in the case of a corporation:
 - a) by delivering it personally to the driver of the vehicle in respect of which an offence is alleged to have been committed;
 - b) by placing the Summons on the vehicle in respect of which an offence is alleged to have been committed;
 - c) in case of a parking violation, by regular mail.
 - d) by sending it by registered mail to the registered office of the corporation.
 - e) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person in charge of any office or other place where the corporation carries on business in Saskatchewan.
- B) No person, other than a Police Officer or person authorized by the Town to enforce this Bylaw, shall place a Summons on any vehicle.
- C) No person other than the owner or operator of the vehicle, shall remove a Summons from a vehicle.
- D) A Police Officer or a person authorized by the Town to enforce this Bylaw may cancel any Summons where that Summons was issued improperly or in error.
- E) The penalty for breach of any provision of this Bylaw shall be those set out in Schedule "A" of this Bylaw.
- F) Notwithstanding any other provisions of this Bylaw, the registered owner of any vehicle shall be liable for a violation of any provision of this Bylaw, as well as the person who committed the breach, unless the registered owner proves to the satisfaction of the judge or justice of the peace trying the case that, at the time of the breach, the 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 its care.

19. Chalking Tires:

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- A) Any Police Officer or other person authorized by the Town with 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.

20. Impoundment of Vehicles, Bicycles and Skateboards:

- A) Any Police Officer or any other person authorized by the Royal Canadian Mounted Police or the Town may move, remove, cause to be moved or be removed any vehicle or bicycle that is unlawfully parked, placed, left or kept on any street, public parking place, other public place or public property in order to enforce this Bylaw.
- B) Any vehicle or bicycle removed pursuant to subsection 20(A):
- i) shall be impounded and stored at the Town compound or any other place authorized by the Royal Canadian Mounted Police or the Town at the cost of the owner for a period of thirty (30) days after the date of removal of the vehicle or bicycle; and
 - ii) shall be released to the owner on payment of the costs of removal, impoundment and storage and any outstanding fines within thirty (30) days after the date of the removal of the vehicle or bicycle.
- C) if the vehicle or bicycle is not redeemed within thirty (30) days, pursuant to subsection 20 A):
- i) the vehicle or bicycle shall be dealt with as lost or unclaimed personal property:
 - ii) the Town shall have the right to recover from the owner of the vehicle or bicycle the costs of removal, impoundment and storage, including the actual cost of advertising, by:
 - a) action in a court of competent jurisdiction;
 - b) sale of the vehicle or bicycle at a public auction;
 - c) private sale of the vehicle or bicycle where the vehicle or bicycle cannot be disposed of at a public auction.
- D) Any Police Officer or any other person authorized by the Royal Canadian Mounted Police or the Town may impound any skateboard, rollerblades, or scooter that is used in contravention of Section 8 F) in order to enforce this Bylaw.
- E) Any skateboard, rollerblades, or scooter impounded pursuant to subsection 20 D) shall be stored at the Town compound or any other place authorized by the Royal Canadian Mounted Police or the Town for a period of thirty (30) days after the date of impoundment.
- F) If the owner of the skateboard, rollerblades, or scooter does not reclaim the skateboard, rollerblades, or scooter within thirty (30) days after the end of the impoundment period pursuant to subsection 20(E) the skateboard, rollerblades, or scooter shall be dealt with as lost or unclaimed property.

21. Impoundment of Obstructions, Encumbrances or Encroachments:

- A) Where an obstruction, encumbrance, or encroachment is created or left on any

TOWN OF MAPLE CREEK

BYLAW NO. 2015-MC-16

street, boulevard or sidewalk, any Police Officer or other person authorized, by the Town may remove or cause the removal of that obstruction, encumbrance or encroachment at the cost of the person who caused the same and may destroy or otherwise dispose of the same.

22. Voluntary Payment:

- A) Where a Summary Offence Ticket (S.O.T.) has been issued pursuant to the Summary Offence Procedures Act and Regulations, a voluntary payment can be made to the Provincial Court of Saskatchewan, in the amount set on the S.O.T. as per instructions.
- B) Nothing in this section shall be construed to prevent any person from exercising his/her right to defend a charge of contravention of this Bylaw.

23. Prosecution For Damages:

- A) Nothing in this Bylaw shall be construed to curtail or abridge the right of the Town to prosecute an action for damages by reason of damage suffered to any municipal property resulting from the contravention of any of the provisions of this Bylaw.

24. Application of This Bylaw:

- A) The headings throughout this Bylaw are for convenience only and are not intended to be used to construe the intent of the Bylaw or any part hereof, or to modify, amplify, or aid in the interpretation or meaning of the provisions of this Bylaw.
- B) If a court of competent jurisdiction should declare any section or subsection of this Bylaw to be invalid, such section or subsection shall not be construed as having persuaded the Council to pass the remainder of the Bylaw, and it is hereby declared that the remainder of the Bylaw shall be valid and remain in force.
- C) In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the onus of proof that the action giving rise to the charge was previously authorized shall lie upon the person charged.

25. Bylaws No. 1995-MC-05; 1985-MC-05; 1983-MC-07; 1987-MC-09; 2007-MC-03; 2010-MC-18; 2014-MC-01; 2013-MC16; 2012-MC-11; 2015-MC-02 are hereby repealed.

26. This Bylaw shall come into force and effect upon its approval by the Highway Traffic Board.

THE OFFICIAL DOCUMENT HAS BEEN DULY SIGNED BY AUTHORIZED MUNICIPAL OFFICIALS

Mayor

S E A L

Administrator

Read a third time and hereby adopted on
the _____ day of _____, 2015.

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APPENDIX 1

STOP STREETS
Section 3(A)

<u>Street or Avenues</u>	<u>Where Intersected by Street or Avenue</u>
Highway 21	1 st Avenue North
1 st Avenue	Jasper Street
Pacific Avenue.....	Marsh Street Walsh Street Harder Street Jasper Street Maple Street Cypress Street Aspen Street Hood Street Highway 21
5 th Avenue	Sidney Street Marsh Street Walsh Street Harder Street Jasper Street Maple Street Cypress Street
West Side of Sidney Street	Pacific Avenue 1 st Avenue 2 nd Avenue 3 rd Avenue 4 th Avenue
East Side of Sidney Street	Pacific Avenue 1 st Avenue 2 nd Avenue 3 rd Avenue In front of L26, Blk 44, Plan C.4681
Harder Street.....	1 st Avenue 2 nd Avenue 3 rd Avenue 4 th Avenue
Jasper Street.....	1 st Avenue 2 nd Avenue 3 rd Avenue 4 th Avenue
Maple Street.....	1 st Avenue 2 nd Avenue 3 rd Avenue 4 th Avenue
East Side of Highway 21	1 st Avenue 2 nd Avenue 3 rd Avenue 4 th Avenue 5 th Avenue Myers Crescent
West Side of Highway 21	2 nd Avenue 3 rd Avenue 5 th Avenue Pacific Avenue West

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APPENDIX 1 – Con’t.

STOP STREETS
Section 3(A)

<u>Street or Avenues</u>	<u>Where Intersected by Street or Avenue</u>
Southside of Claustre Ave.....	MC Community Arena Parking Lot MC Curling Rink Parking Lot – West Entrance and East Entrance
Claustre Ave.....	Herbert Street
Fire Lane – Alley of 200 block of Jasper Street and Maple Street	Legion Hall/Bargain Shop/Shop Easy parking lots.

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APPENDIX 2

**Yield Streets
Section 3(B)**

<u>Street or Avenues</u>	<u>Where Intersected by Street or Avenue</u>
2 nd Avenue	Hood Street Aspen Street Cypress Street Walsh Street Marsh Street Herbert Street Griffin Street Lonsdale Street
3 rd Avenue	Herbert Street Lonsdale Street
5 th Avenue	East leg of Stockdale Crescent West leg of Stockdale Crescent Griffin Street Herbert Street
Claustre Avenue	Dawson Street Maple Street Marsh Street
Louis Avenue	Harder Street
Dawson Street	Parsons Avenue
Jasper Street	Louis Avenue Dixon Avenue
Cypress Street	South leg of Myers Crescent North leg of Myers Crescent
2 nd Avenue North	Service Street
4 th Avenue	Aspen Street
Pacific Avenue	Herbert Street Griffin Street Allowance Road
1 st Avenue North	Walsh Street Jasper Street
Allowance Road	1 st Avenue North
3 rd Avenue	Chinook Place Prairie Place Harrigan Crescent (both entries)

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APPENDIX 3

**No “U-Turn” Intersections
Section 3(C)**

The Intersections of:

Jasper Street and Pacific Avenue

Jasper Street and 1st Avenue

Jasper Street and 2nd Avenue

TOWN OF MAPLE CREEK

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APPENDIX 4

**No Parking Areas
Section 4(E)**

1. At any time on the north side of 5th Avenue between Herbert Street and Sidney Street.
2. No parking of any vehicle other than buses between the signs indicating same from 8:00 a.m. to 9:00 a.m. on school days and 3:00 p.m. to 3:30 p.m. on school days on the south side of Louis Avenue between Jasper Street and Harder Street, and from 8:00 a.m. to 9:00 p.m. on school days on the east side of Sidney Street between 2nd Avenue and 3rd Avenue.
3. At any time on the North side of Pacific Avenue across from the Co-op between the signs with “NO PARKING’ on them.
4. On the north and south side of Pacific Avenue from Sidney Street to the east alley behind the 100 block of Griffin Street.
5. At any time on the north side of 2nd Avenue between Sidney Street and Herbert Street.
6. At any time on the east side of Marsh Street between 5th Avenue and Claustre Avenue.
7. At any time on the south side of Claustre Avenue from Herbert Street to Dawson Street.
8. On designated Handicapped Parking zones
 - a. Post Office 201 Jasper Street – 2 Handicap Parking stalls.
 - b. 101 Jasper Street
 - c. Hill Country Clothing 116 Jasper Street
 - d. Sidney Street School 306 Sidney Street
 - e. Maple Creek High School
 - f. Maple Creek Community Arena – 505 Claustre Avenue
9. No parking for more than two (2) hours consecutively from 8:00 a.m. to 6:00 p.m., Monday through Friday, in the downtown area.
10. No parking for more than fifteen (15) minutes consecutively from 9:00 a.m. to 5:00 p.m., Monday through Friday on the east side and north side of Canada Post at 201 Jasper Street.

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APPENDIX 5

**Restricted Parking
Section 4(E)(9)(b)**

<u>Street or Avenue</u>	<u>Between Street or Avenue</u>
Maple Street.....	Pacific Avenue & 1 st Avenue
Jasper Street.....	Pacific Avenue & 2 nd Avenue
Harder Street.....	Pacific Avenue & 1 st Avenue
South side of Pacific Avenue.....	Maple Street & Harder Street
1 st Avenue	Maple Street & Harder Street
East Side of Harder Street from 8am to 4pm, Monday thru Friday during school days.....	Louis Avenue & Parson Avenue

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APPENDIX 5(A)

Unloading Zones
Section (4)(E)(X)

<u>Street or Avenue Area</u>	<u>Area</u>
Cypress Street.....	In front of Senior Citizen Centre
Maple Street.....	In front of the Legion Hall between the signs which are twenty-two and one-half feet (22 1/2') south of the middle of the west door and twenty-two and one-half feet (22 1/2') north of the middle of the west door
Jasper Street.....	In front of 134 Jasper Street 50 feet frontage as follows: 9:00 am to 5:00 pm
Pacific Avenue.....	In front of 26 Pacific Avenue 130 feet frontage as follows: 1:00 pm to 5:00 pm and 1:00 am to 5:00 am

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APPENDIX 6

**Speed Zones
Section 5(A)(2)**

<u>On</u>	<u>From</u>	<u>To</u>
Sidney Street	2 nd Avenue	3 rd Avenue
2 nd Avenue	Sidney Street	Griffin Street
3 rd Avenue	Sidney Street	Lonsdale Street
Louis Avenue	Jasper Street	Dawson Street
1 st Avenue	Cypress Street	Aspen Street
2nd Avenue	Jamieson Street	100 meters East of Jamieson Street
Claustre Avenue	Dawson Street	Herbert Street
Dawson Street	Louis Avenue	Claustre Avenue

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APPENDIX 7

**Public Reserves
Section 7(A)**

Airport, Golf Course

All that portions of the north half of Section 10, Township 11, Range 26, West of the Third Meridian that remains un-subdivided.

Rodeo Grounds

All that portion of Section NE 15, Township 11, Range 26, West of the Third Meridian

TOWN OF MAPLE CREEK

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FORM 1

APPENDIX 8

Permit for Operating a Lugged Vehicle Section 4(D)

Name:			
Address:			
Type of Vehicle:			
Route:			
Deposit:		Receipt:	

I declare that:

1. I will use reasonable care in propelling, operating, or driving the above vehicle and/or equipment on or over the highway in the Town of Maple Creek so as to prevent any damage resulting to the highway or any bridge or culvert thereon.

2. I further declare that I will pay for all damage caused to such highway, bridge or culvert as a result of propelling, operating or driving said vehicle and/or equipment thereon.

Witness	Owner/Operator

TOWN OF MAPLE CREEK

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FORM 2

APPENDIX 9

Notice of Violation - Town of Maple Creek (Section_____)

Name: _____

Address: _____

Postal Code: _____

Details of Offense:

Date: _____ Time: _____ License No.: _____

You are charged with violation of Bylaw No. _____

Sections (s) _____

Description of Violation: _____

Location of Violation: _____

Penalty for the Above Violation: _____

Police Officer

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 provided under Section 12 of the said bylaw.

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APPENDIX 10

Downtown Business Core Area

From 3rd Avenue to Pacific Avenue Inclusive
From Harder Street to Maple Street Inclusive

TOWN OF MAPLE CREEK

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APPENDIX 11

Section 9 (C) and 9 (E)

Public Highway that snowmobiles and ATV are allowed to operate on between the hours of 7:00 am and 11:00 pm for the purpose of a direct route to and from the boundaries of the Town, with the exception of refueling.

**Murraydale Cres.
Jameison Street
Lonsdale Street
Herbert Street
Sidney Street
Marsh Street
Walsh Street & Walsh Street North
Harder Street
Jasper Street & Jasper Street North
Maple Street
Cypress Street & Cypress Street North
Aspen Street
Hood Street & Hood Street North
Griffin Street
Dawson Street
Service Street
Myers Crescent
Harrigan Crescent
Chinook Place
Prairie Place
Pacific Avenue
1st Avenue & 1st Avenue North
2nd Avenue & 2nd Avenue North
3rd Avenue
4th Avenue
5th Avenue
Claustre Avenue
Peacock Avenue
Parsons Avenue
Louis Avenue
Dixon Avenue**

TOWN OF MAPLE CREEK

**BYLAW NO. 2015-MC-16
SCHEDULE "A"**

VOLUNTARY PAYMENT

As provided for in Section 23 of Bylaw No. 2015-MC-01

SECTION	AMOUNT	BYLAW DESCRIPTION
4(C)	\$ 50	Erect sign, marker, signal, advertise on highway
4(C)(i)	General Penalty	Deface, Damage signs / markers
4(D)	\$350	Lug Vehicles Permit
4(E)(i)	\$30	Parking Exceptions
4(E)(1)(a)	\$30	Park to Obstruct lane, entrance, driveway, approach
4(E)(1)(b)	\$30	Park to Exceed 30 Minutes Taking/Discharge Cargo
4(E)(iii)	\$30	Park within 5 metres of street/hydrant
4(E)(iv)	\$30	"No Parking" signs
4(E)(v)	\$30	Parking continuously over 72 hours
4(E)(vi)	\$30	Parking on private property without consent
4(E)(vii)	\$30	Parking unlicensed vehicle on street
4(E)(viii)	\$70	Unauthorized parking in disabled zone
4(E)(ix)	\$50	Park with inflammable, combustible material
4(E)(ix)(b)	\$50	Park truck unloading 30 min
4(E)(x)	\$50	Parking between signs designated Appendix 5(A)
4(E)(x)	\$50	Park between signs for loading and unloading
4(E)(xi)	\$50	Park trailer/semi-trailer street-vehicle
4(E)(xii)	\$50	Park in fire lane
4(E)(xiii)	\$50	Park with motor running 11:00pm-6:00am
4(E)(xiv)	\$30	Park on boulevard or sidewalk
5(A)	As Per Highway Traffic Act	Street speed & speed zones
5(B)	\$75	Public Highway activate safety lights school zone
5(C)(i)	\$50	U-turns between intersections or alley
5(C)(ii)	\$50	"No U-Turn" sign
5(C)(iii)	\$50	Power turns, squeal tires, excessive noise
5(D)(i)	As per Vehicle Weight & Dimensions Regulations 1999 - Heavy Route 9000 kg	
5(D)(ii)	\$50	Weight Restriction – Lonsdale Street
5(D)(v)	\$50	Delivery Vehicles -direct & heavy route
6(A)	\$50	Parking Stall with engine running
7(A)	\$50	Park or operate vehicles public reserves
8(G)	Impoundment	Bicycles, Skateboards, Roller Blades, Scooters
9	\$50	All Terrain Vehicles & Snowmobiles
10	\$50	Golf carts
12(B)	\$50	Vehicle Crossing - fire hose/equipment
13(E)	\$50	Vehicle - Barricaded or roped street
14	\$50	Obstruction Sidewalk or Street
15	\$50	Pedestrian Crossings
16(A)	\$100	Engine Brakes

In the case of the penalties outlined above, except those established by Provincial legislation, the Administrator or his/her designate may, at their discretion, state on the ticket a lesser fine that will be accepted provided that voluntary payment is made within 3 days of the offender receiving the ticket. If the offender does not make payment within 3 days, the amount prescribed on this schedule shall prevail.