



RURAL MUNICIPALITY OF WEST INTERLAKE

BY-LAW NO. 13-2020

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST INTERLAKE CONCERNING THE REGULATION OF PARKING AND TRAFFIC CONTROL DEVICES

WHEREAS section 231 the Municipal Act provides authority for Council to pass by-laws with respect to governing the municipality in the manner Council considers appropriate, within the jurisdiction given to it under this and other acts;

AND WHEREAS sub-section 231(1) of the Municipal Act permits Council to pass by-law respecting people, activities and things in, on or near a public place or a place open to the public, including municipal roads;

AND WHEREAS section 287 of the Municipal Act states a municipality has the direction, control and management of municipal roads within its boundaries;

AND WHEREAS the Highway Traffic Act provides authority to Council to make certain rules and pass by-laws respecting parking on municipal roads;

NOW THEREFORE the Council of the Rural Municipality of West Interlake, in open session assembled enacts as follows:

SECTION 1 – SHORT TITLE

1.0 This By-Law may be referred to as the "West Interlake Traffic Control Device By-Law".

SECTION 2 – LIST OF SCHEDULES

2.0 Attached to and forming part of this By-law are the following schedules:

Schedule A Location of Diagonal Parking Only Areas

Schedule B Accessible Parking

Schedule C Location of "Loading Zone Only"

Schedule D Location of "No Parking and/or Stopping Zones"

Schedule E Location of Traffic Control Devices

Schedule F Fee schedule

SECTION 3 – DEFINITIONS

3.0 The words and expressions used in this By-law have the same meaning as those same words and expressions have as set out in the Highway Traffic Act (Manitoba) and in the Municipal Act as the case may be, unless provided for otherwise in this By-law.

3.1 In this By-Law:

<i>Boulevard</i>	means that portion of a roadway between the curb or the lateral line of the highway and the adjoining property line exclusive of the sidewalk; and that portion of a roadway between the curbs or lateral lines of the roadway of a divided roadway.
<i>Zone Curb</i>	means the lateral line of a roadway.
<i>Holiday</i>	means the days defined as holidays under the Interpretation Act (Manitoba).
<i>Public Works Manager</i>	means the person appointed to the position of Public Works Manager for the Municipality.
<i>Municipal Enforcement Officer</i>	means a designated officer of the municipality or such persons as may be authorized by Council to exercise some or all of the powers vested in them by this By-law.
<i>Private Approach</i>	means that portion of a sidewalk and/or boulevard improved or designed for the passage of a vehicle.



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SECTION 4 – TRAFFIC CONTROL DEVICES

4.0 Traffic control devices are authorized to be placed and maintained as set out in the Schedules attached to this By-law.

4.1 The Public Works Manager is authorized to place and maintain or cause to be placed and maintained traffic control devices as set out in the Schedules attached to this By-law.

4.2 The Public Works Manager is authorized to place and maintain or cause to be placed and maintained temporary traffic control devices to regulate stopping, standing or parking of a vehicle in an emergency or for the purpose of the Municipality or an authorized agent or contractor carrying out work on a roadway including street cleaning and snow removal operations or as authorized by a peace officer.

4.3 No person shall undertake any work within a roadway that may interfere with the stopping, standing or parking of vehicles without first obtaining permission from the Public Works Manager. The Public Works Manager may impose conditions on the issuance of the permission, including requiring the placement and maintenance of temporary traffic control devices to regulate stopping, standing or parking of vehicles.

SECTION 5 - PARALLEL/DIAGONAL PARKING (ANGLE)

5.0 No person shall stop, stand or park a vehicle on a roadway other than parallel with the curb, facing in the direction of vehicle traffic movement on that side of the roadway, with the curb side wheels of the vehicle being within eighteen inches of the curb, and a clear space of least three feet in front of and behind the vehicle.

5.1 Where diagonal (angle) parking is permitted under this By-law, vehicles shall stop, stand or park at an angle of approximately thirty degrees to the curb, with the right front wheel touching or within one foot of the curb, and with a clear space of at least three feet on either side of the vehicle.

SECTION 6 – PROHIBITIONS ON STOPPING, STANDING AND PARKING

6.1 No person shall stop, stand or park a vehicle on a roadway in violation of a traffic control device, including a temporary traffic control device, placed and maintained under this By-law.

6.2 No person shall stop, stand or park a vehicle:

- a. in a back lane;
- b. in a loading zone set out in Schedule C, except temporarily for the purpose of, and while actually engaged in, loading or unloading the vehicle;
- c. on a roadway that is barricaded or otherwise shown as being closed to vehicle access;
- d. that interferes with the passage of vehicles along a roadway;
- e. that interferes with access to a private approach;
- f. that is not in running condition or that is under repair. If a vehicle breaks down such that it is no longer in operating condition, the owner or operator shall take immediate action to have the vehicle removed from the roadway;



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g. abreast of another vehicle on a roadway, unless the person is complying with a traffic control device, or the direction of a peace officer;

6.3 No person shall remove or alter a mark made on a vehicle by a Municipal Enforcement Officer in the enforcement of this By-law unless the vehicle has been moved through the nearest intersection following the making of the mark.

6.4 No person, other than the person having control of a vehicle, shall remove from the vehicle an offence notice, Parking Ticket or other notice placed by a Municipal Enforcement Officer alleging that a violation of a provision of this By-law has been committed with respect to the vehicle on which the Parking Ticket or notice was placed.

SECTION 7 – ACCESSIBLE PARKING FOR PERSONS

7.0 Designated accessible parking spaces for permitted persons parking shall be designated by signs and/or pavement markings.

7.1 No person shall stop, stand or park a vehicle in a designated parking space or in a manner that makes the designated parking space inaccessible, unless a permit is displayed in the vehicle and is used in accordance with the Highway Traffic Act.

SECTION 8 – PARKING RESTRICTIONS FOR CLEANING, MAINTENANCE AND SNOW REMOVAL

8.0 No person shall stop, stand or park a vehicle on any portion of a roadway between the hours of 7:00 a.m. and 7:00 p.m. when traffic control devices have been placed indicating that snow removal or highway cleaning or maintenance operations are to be commenced.

8.1 The traffic control devices referred to in this section shall be placed on the portions of the roadway to be affected by the cleaning or maintenance operations 24 hours before the day that the said operations are to start.

SECTION 9 – ADVERTISING RESTRICTION

9.0 No person shall stop, stand or park on a roadway within the RM of West Interlake, an advertising vehicle, a vehicle displayed for sale, or a vehicle for the purpose of displaying goods, wares or merchandise. This shall not include vehicles that have signage attached directly to the body of the vehicle for the purpose of identifying their trade, service, or product.

SECTION 10 – PARKING EXEMPTIONS

10.0 This By-law does not apply to:

- a. police and municipal enforcement vehicles;
- b. Municipal vehicles or vehicles employed by the Municipality while in use in connection with works being done in or near a roadway requiring them to stop, stand or be parked in violation of this By-law; or
- c. vehicles of the Government of Manitoba, the Government of Canada, or a public utility if such vehicles have the owner's name painted thereon and are engaged in work on or near a roadway requiring them to stop, stand or be parked in contravention of this By-law.



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SECTION 11 – ADMINISTRATION AND ENFORCEMENT

11.0 The position of the Public Works Manager and the Chief Administrative Officer are Municipal Enforcement Officers for the purposes of the administration and enforcement of this By-law.

11.1 The position of Municipal Enforcement Officer may also be a designated officer for the purposes of the administration and enforcement of this By-law. The Municipal Enforcement Officer is appointed by resolution. The Municipal Enforcement Officer shall have all the powers provided to a designated officer under the Municipal Act, including the power to:

- a. make or place a mark on a vehicle,
- b. issue a Parking Ticket or offence notice,
- c. move a vehicle to another location not in violation of this By-law,
- d. tow or remove a vehicle, and
- e. enforce a violation through an offence.

11.2 A Municipal Enforcement Officer may remove, tow and impound a vehicle found in violation of this By-law. The vehicle shall be taken to a location designated by the Municipality.

11.3 The owner of the vehicle towed, removed or impounded under this By-law may apply to the Municipal Enforcement Officer for the return of the vehicle. If the owner applies for the return of the vehicle, the Municipal Enforcement Officer shall release the vehicle to the owner upon payment by the owner of the removal and impoundment fees set out in Schedule E.

11.4 If the owner has not applied for the return of the vehicle within 30 days from the date of the impoundment, the Municipal Enforcement Officer shall notify the owner that the Municipality may dispose of the vehicle by a certain date if the owner does not pay the outstanding removal and impoundment fees set out in Schedule 1F. If the owner has not paid the outstanding fees by the set date, the Municipal Enforcement Officer may dispose of the vehicle. If the vehicle is sold, the Municipal Enforcement Officer shall apply any proceeds of sale against the outstanding fees and return any balance to the owner.

SECTION 12 - OFFENCE

12.0 A person who fails to comply with a provision of this By-law is guilty of an offence and is liable to a fine of not more than \$1000.00.

12.1 A person who is convicted of failing to comply with a provision of this By-law, in addition to a fine or penalty imposed under sub-section 13.0, is liable to any costs associated with or resulting from enforcing this By-law. Such costs are an amount owing to the Municipality and may be collected in any manner in which a tax may be collected or enforced under the Municipal Act.

SECTION 13 -VOLUNTARY PAYMENT

13.0 In the event of a violation under this By-law:

- a. a Municipal Enforcement Officer may issue a Parking Ticket, in a form approved by the Municipality alleging a violation of this By-law.



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b. the Parking Ticket shall set out the license plate number of the vehicle, information describing the violation, and the amount provided for in Schedule E of this By-law. The Parking Ticket shall be attached to the vehicle or handed to the owners or operator should they be present.

c. the owner or operator of the vehicle may, within twenty days of issuance of the Parking Ticket, attend at the municipal office and pay to the municipality the amount set out on the Parking Ticket.

d. the owner or operator of the vehicle may comply with sub-section (c) by mailing the Parking Ticket, together with the amount set out on the Parking Ticket to a municipal office, provided the Parking Ticket and amount are received by the municipality within twenty days of the issuance of the Parking Ticket. Where the payment is by way of a cheque or other negotiable instrument, it is deemed to have been received only when the cheque or instrument is honoured by the bank or financial institution upon which it is drawn.

13.1 Upon payment as set out in section 13.0, there shall be no further prosecution or action taken by the municipality for the contravention in respect of which the payment has been made.

13.2 If no payment is made in accordance with section 13.0, the Municipal Enforcement Officer may proceed with the prosecution of the violation through an offence.

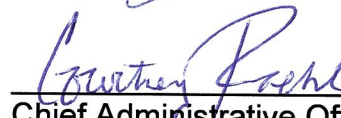
SECTION 14 – PARKING PROVISION NOT EXCLUSIVE

14.0 The provisions of this By-Law shall not relieve a person from complying with the provisions prohibiting, restricting or limiting the stopping, standing or parking of a vehicle set out under the Highway Traffic Act.

DONE AND PASSED as a by-law of the Rural Municipality of West Interlake at Eriksdale Council Chambers, in the Province of Manitoba this 29 day of September 2020.



Reeve
Arnthor Jonasson



Chief Administrative Officer
Courtney Roehl

Read a first time this 8th day of September 2020.

Read a second time this 8th day of September 2020.

Read a third time this 29th day of September 2020.



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Schedule "A"

LOCATION OF DIAGONAL PARKING ONLY AREAS

- 1) Ashern a) Main Street both sides 60 meters west of Peterson Lane to Railway Avenue
- 2) Eriksdale a) Railway Avenue East side from Main Street to Vimy Avenue
 - b) Main Street both sides from Railway Avenue to 1st Avenue
 - c) 1st Avenue east side from Vimy Avenue to 1st Street South

LOCATION OF PARALLEL PARKING ONLY AREAS

- 1) Ashern a) Railway Avenue both sides from 1st Street South to 1st Street North
 - b) 1st Avenue North & South both sides from 1st Street South to PR 325 East
 - c) 2nd Avenue North & South both sides from 1st Street South to 1st Street North
 - d) Steenson Avenue both sides from Main Street to back lane (230 meters south)
- 2) Eriksdale a) Railway Avenue west side from Main Street to Vimy Avenue
 - b) 1st Avenue west side from Vimy Avenue to 1st Street South



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Schedule "B"

ACCESSIBLE PARKING

- 1) Ashern
 - a) Main Street on both sides of wheelchair ramp (Chicken Chef)
 - b) PR 325 East on both sides of entrance (Ashern Arena)
 - c) Ashern Centennial Parking Lot
 - d) 1st Street South (Glencora Manor)
- 2) Eriksdale
 - a) Railway Avenue on both sides of wheelchair ramp (New Horizons Club)
 - b) Railway Avenue at Noventis Credit Union
 - c) Main Street at Municipal Office
 - d) Main Street at west side of Eriksdale Public Library
 - e) 1st Avenue at Eriksdale Recreation Centre (directly north of far north entrance)
 - f) 1st Avenue at Eriksdale Recreation Centre (between north and middle entrance)
 - g) 1st Avenue at Eriksdale Recreation Centre (north side of south entrance)

The above noted Accessible Parking locations will be designated by a blue coloured curb and/or traffic control device.



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Schedule "C"

LOCATION OF LOADING ZONE ONLY TRAFFIC CONTROL DEVICES

- 1) Ashern
 - a) 2nd Avenue North at Pioneer Manor Entrance
 - b) 1st Street South at Glencora West Entrance
 - c) 1st Street South at Glencora East Entrance
- 2) Eriksdale
 - a)



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Schedule "D"

LOCATION OF NO PARKING/STOPPING ZONES

- 1) Ashern
 - a) 1st Avenue South east side from 1st Street South to 68 meters south
 - b) PR 325 East both sides from 1st Avenue North to 2nd Avenue North
 - c) 2nd Avenue South between firehall entrance
 - d) Main Street East both sides from west of Legion (back lane) to Kirkfield Drive.
 - e) Kirkfield Drive east side from Main Street East to Walmore Drive
- 2) Eriksdale
 - a) Railway Avenue east side from 1st Street North to 100 meters north
 - b) Between doors at Eriksdale Recreation Centre on 1st Avenue
 - c) PR 68 on both sides from 1st Avenue to 85 meters east
 - d) Sign at Noventis Credit Union to Vimy Road (approximately 27 meters north of Vimy Rd)
 - e) Firelane at 1st Street South to 2nd Avenue
 - f) Eriksdale Drive south side from School road to 78 meters east



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Schedule "E"

TRAFFIC CONTROL DEVICES

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|-------------------------|--------------|---|
| 1) Pedestrian Crossings | 1) Ashern | a) Main Street at Ashern Early Years School |
| | | b) Railway Avenue at Main Street |
| | 2) Eriksdale | a) Vimy Road at School Road |
| 2) No U-Turn | 1) Ashern | a) Main Street intersection at 2 nd Avenue |
| | | b) Main Street intersection at 1 st Avenue |



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Schedule "F"

FEE SCHEDULE

1. Any individual guilty of a parking infraction is subject to a \$25.00 fine. If paid within 14 days of the infraction the fine would be reduced to \$15.00.
2. Removal Fee shall include all fee's incurred to tow vehicle to designated municipal area.
3. Impound Fee as set by storage company