

VILLAGE OF MARENGO

BYLAW NO. 2021-03

A BYLAW FOR REGULATING TRAFFIC UPON THE PUBLIC STREETS, VILLAGE EASEMENTS, AND PUBLIC PROPERTY OF THE VILLAGE OF MARENGO AND PRESERVING ORDER THEREIN

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

1. SHORT TITLE

- 1.1. This bylaw shall be known as the Traffic Bylaw

PART I DEFINITIONS

2. DEFINITIONS

- 2.1. ALL TERRAIN VEHICLES means any vehicles intended for off-road recreational use, with respect to which a certificate of registration under The Vehicle Administration Act of Saskatchewan cannot be issued, and which is propelled or driven by any other means than muscular power. Here to forward may be referred to as an ATV.
- 2.2. ALLEY means a public highway intended primarily to give access to the rear of property.
- 2.3. BICYCLE means a vehicle for the carriage of persons, which is propelled by human power, having two tandem wheels, and including any device adapted from a bicycle by the addition of one or more wheels.
- 2.4. COUNCIL means the elected Council of the Municipality
- 2.5. CURB means the dividing line of the highway between that part of highway intended for use of vehicles and the part of the highway intended for use by pedestrians, town easement, or private property whether marked with curbing or not.
- 2.6. DOUBLE PARKING means the parking of a vehicle on a street parallel to a vehicle parked beside the curb in a parking area, or parking to the rear of any vehicle that is angle parked at the curb in a parking area.
- 2.7. DRIVER means a person leading or riding or driving one or more horses or the operator of a vehicle.
- 2.8. EMERGENCY VEHICLE means fire engines, fire department apparatus, ambulances and police motor vehicles when on emergency duty only, as well as private vehicles operated by members of the Town Volunteer Fire Department but only whilst being used as a conveyance to answer a fire alarm

whilst parked at or near the scene of a fire or parked in the block in which the Fire Hall is situated, shall be deemed to be emergency vehicles.

- 2.9. EASEMENT the area in the front of or beside a property line between the property line and the curb.
- 2.10. MOTORCYCLE means a licensable motor vehicle, other than a tractor, that:
- a) is designed to travel on not more than three wheels on the ground; and
 - b) has a seat or saddle for use of the rider sitting astride thereof;
 - c) and includes a bicycle with a motor attached by which it is driven and a motor scooter.
- 2.11. MUNICIPALITY means the Village of Marengo
- 2.12. OWNER means "Owner" as defined by The Vehicle Administration Act of Saskatchewan.
- 2.13. PEDESTRIAN means any person on foot and shall include a baby carriage/stroller or a wheelchair, motorized or otherwise.
- 2.14. POLICE OFFICER means any member of the Royal Canadian Mounted Police.
- 2.15. PUBLIC PLACE means any place within the boundaries of the Village to which the public has access as of right or by invitation, express or implied, and, without restricting the generality of the foregoing, includes all school grounds, parks, playgrounds and sports grounds.
- 2.16. SIDEWALK means that portion of a street intended primarily for use by pedestrians.
- 2.17. STOP means "stop" as defined by the Vehicle Administration Act of Saskatchewan.
- 2.18. STREET means that portion of every highway, public road, street, avenue, alley, bridge, park drive or public place in the Village intended for use by vehicles.
- 2.19. TRAFFIC means pedestrians, ridden or herded animals, vehicles, buses or other conveyances, either singly or together while using any highway.
- 2.20. TRAFFIC SIGN means any sign, signal (other than a traffic signal) marking, or other device placed, painted or erected for the guidance regulation, warning, direction or prohibition of traffic or parking.
- 2.21. TRAFFIC SIGNAL means a device whether manually, electrically, or mechanically operated, for the purpose of directing, warning or regulating traffic by means of an illuminated signal.

- 2.22. VEHICLE means "Vehicle" as defined by the Vehicle Administration Act of Saskatchewan.
- 2.23. DELIVERY VEHICLE means any commercial or public service vehicle used for the delivery or collection of commodities and/or people to and from stores, restaurants, hotels and commercial buildings.
- 2.24. HEAVY VEHICLE means a vehicle with a trailer attached, having a maximum gross vehicle weight (GVW) of 6500 kg. or more, or exceeding 10.7 m in total length, recreation vehicles excepted.
- 2.25. VILLAGE means the Village of Marengo of the Province of Saskatchewan.

PART II

AUTHORITY OF THE POLICE - TRAFFIC SIGNS AND SIGNALS

3. POLICE AUTHORITY

- 3.1. A Police Officer is hereby authorized to direct all traffic in accordance with the provisions of this Bylaw, or in emergencies or as public safety or public convenience may require. No person shall neglect or refuse to comply with any order, signal, or direction of a police officer.

4. AUTHORITY FOR SIGNS, SIGNALS, AND DEVICES

- 4.1. The Council may as specified by Bylaw or Resolution, authorize the erection of Traffic signs, traffic signals or devices.

5. AUTHORITY FOR COUNCIL TO ERECT

- 5.1. The Council is hereby authorized to erect or cause to be erected such signs, traffic signals or devices as may be deemed necessary by them for the proper carrying out of the provisions of this Bylaw.

6. OBEY SIGNS

- 6.1. No operator of a vehicle and no pedestrian shall disobey the instructions of any traffic sign or traffic signal, unless otherwise directed by a Police Officer.

7. UNAUTHORIZED SIGNS

- 7.1. No person shall place or maintain or display upon or in view of any street, any sign, signal or device which purports to be or is an imitation of or resembles a traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any traffic sign or signal. The Village Council is hereby empowered to remove or cause to be removed without notice, every such prohibited sign, signal or device.

8. INTERFERENCE WITH SIGNS

- 8.1. No person shall willfully deface, injure, move, obstruct or interfere with any traffic sign, traffic signal or device.

9. RESPONSIBILITY OF OWNER

- 9.1. The owner of a motor vehicle as defined by the Vehicles Administration Act of Saskatchewan shall be liable for violation of any of the provisions of this Bylaw in connection with the operation of the motor vehicle unless such owner proves to the satisfaction of the Court trying the case that at the time of the offence, the vehicle was not being operated by him nor by any person with his consent expressed or implied.

PART III PEDESTRIANS RIGHTS AND DUTIES

10. SOLICITING RIDES

- 10.1. No person shall stand in a street for the purpose of soliciting a ride from the operator of any private vehicle.

11. OBSTRUCTING SIDEWALKS OR STREETS

- 11.1. No person shall obstruct the free passage of traffic on any sidewalk or street after having been requested to move on by any Police officer or other person duly authorized to do so.

12. PEDESTRIAN TO YIELD AT OTHER THAN CROSSWALK

- 12.1. A pedestrian crossing or walking on a street at a point other than at an intersection shall yield the right-of-way to all vehicles upon the street.

PART IV STOPPING, STANDING AND PARKING

13. PARKING AND METHOD OF PARKING

- 13.1. Except where necessary in obedience to traffic regulations or traffic signs or traffic signals, no operator of a vehicle shall stop, stand or park such vehicle in a roadway other than parallel with the curb with the right hand wheels of the vehicle within thirty (30) centimetres of the edge of the curb.

- 13.2. No person shall park any vehicle in an alleyway within the Village.

14. HEAVY VEHICLE PARKING PROHIBITED

- 14.1. No person shall park any heavy vehicle or any type of construction or farming machine or equipment on any roadway or easement in the Village.
- 14.2. This section shall not apply to:
- a) Recreation vehicles
 - b) Commercial vehicles while actually loading or unloading goods
 - c) Construction equipment being used during construction or improvement of property, provided that such equipment is parked adjacent to the property where such work is being done.
 - d) Any heavy vehicle that is in use on the behalf of the Village.

14.3. Heavy vehicles (loaded or unloaded) may not park on the village streets or easements overnight.

14.4. Heavy vehicles may not idle while parked for more than fifteen minutes.

15. STOPPING PROHIBITED IN CERTAIN PLACES

15.1. No operator of a vehicle shall stop such vehicle in any of the following places, except when necessary to avoid collision or conflict with other traffic or in compliance with the directions of a Police Officer or traffic sign or traffic signal:

- a) Within an intersection
- b) On a crosswalk
- c) On a sidewalk
- d) Within 3 metres of the driveway entrance to any fire station
- e) With its left-hand side to the curb of any street, except on any one-way street
- f) On a boulevard, sidewalk or easement
- g) within 3 metres of a stop sign or intersection
- h) in front of a private drive, without consent of the property owner
- i) where there are traffic signs prohibiting parking

16. PARKING TIME LIMITED BY SIGNS

16.1. No person shall park any vehicle for a longer time on any street or roadway than allowed by traffic signs or signals.

17. PARKING WHILE ADVERTISED FOR SALE OR UNREGISTERED

17.1. No person shall park or stand any vehicle, displayed for sale or any motor vehicle, trailer or semi-trailer which is not registered under the provisions of The Vehicle Administration Act of Saskatchewan upon any street or village easement.

18. PARKING ON PRIVATE PROPERTY WITHOUT CONSENT OF OWNER

18.1. No operator of a vehicle shall park said vehicle in any private parking place or on any private property of which he/she is not the owner, occupant, licensee or permittee except with the consent of such owner, occupant, licensee or permittee.

19. 48 HOUR PARKING

19.1. No vehicle or trailer shall be parked on any street or easement continuously for any period of time longer than forty-eight hours, without written consent from Village Council.

20. DOUBLE PARKING

20.1. No person shall double park any vehicle upon any street of the Village.

21. IMMOBILIZED VEHICLES ON HIGHWAY

- 21.1. No person shall leave any vehicle unattended for more than three (3) hours on any street if the vehicle has been placed on a jack or jacks and one or more wheels have been removed from it or part of the vehicle has been raised or if it is in anyway dismantled.

PART V RULES FOR DRIVING

22. WEATHER CONDITIONS AFFECTING STREETS

- 22.1. When water, mud, or slush is lying on any street the driver of every motor vehicle thereon shall reduce the speed of his/her motor vehicle to avoid splashing any pedestrian.

23. YIELD BEFORE ENTERING STREET OR ALLEY

- 23.1. The operator of a vehicle entering a street or alley from private property shall yield the right-of-way prior to entering the street or alley.

24. VEHICLES OBSTRUCTING TRAFFIC

- 24.1. No vehicle shall be operated or allowed to remain upon any street so as to be an unreasonable obstruction to the traffic thereon.

25. VEHICLES OBSTRUCTING STREET MAINTENANCE OR SNOW REMOVAL

- 25.1. No vehicle shall be parked or allowed to remain upon any street so as to constitute an unreasonable obstruction to or interference with the maintenance of such street, the removal of snow therefrom or the operation by the Village, or a contractor engaged by the Village, of equipment for the purpose of maintaining such street or removing snow therefrom; and if an officer of the RCMP or a Representative of the Village considers that a vehicle is left standing or parked so as to constitute an unreasonable obstruction or interference as aforesaid, he may request the owner or operator of such vehicle to remove the same forthwith.

26. VEHICLES ON SIDEWALKS OR EASEMENTS

- 26.1. No operator of a vehicle shall drive within any sidewalk or easement area, except at a permanent or temporary driveway.

27. DRIVING OVER FIRE HOSE

- 27.1. No person shall operate a vehicle over a fire hose or other fire equipment, unless so instructed by a Police Officer, Fire Department personnel, or person employed by the Village.

28. SPEED LIMITS

- 28.1. No person shall operate a vehicle on a street in the Village of Marengo at a speed greater than forty kilometres per hour on all streets in the Village unless otherwise posted.

29. UNNECESSARY NOISE, THROWING GRAVEL, ETC.

- 29.1. No person driving a motor vehicle upon a public highway, parking lot or other place shall accelerate the vehicle to such an extent so as to cause the tires to slide, spin or throw gravel or other substances.
- 29.2. This Bylaw shall not apply to any Police Officer while engaged in the performance of his/her duties, nor any other emergency vehicle in the performance of duty.

30. STOP SIGNS

- 30.1. Stop signs shall be erected at the locations set out in Schedule "A" here unto annexed.

31. SPILLING

- 31.1. All material of any kind being transported over Village streets or alleys must be transported in such a manner and in such containers that no part of the material shall find its way to the street while the same is in transit. Should any material be spilled upon the street, it shall immediately be removed by the person in charge of the said material so that the streets shall be in as clean and usable a state as before the material was spilled.

32. CERTAIN LOADS TO BE COVERED

- 32.1. No person shall operate any vehicle transporting ashes, garbage, trade waste, refuse or debris of any kind or description whatsoever along or over any highway, street, or alley in the Village unless the load is covered or secured.

33. HEAVY TRUCK MOVING

- 33.1. All commercial trucks making deliveries must use the most direct route in and out of the Village.

PART VI

BICYCLES, MOTORCYCLES, ALL-TERRAIN VEHICLES (ATV) AND SNOWMOBILES

- 33.2. No person shall ride a bicycle, motorcycle, ATV, or snowmobile upon a sidewalk or easement, but may ride over sidewalk or easement when crossing into a driveway.
- 33.3. No person riding upon a bicycle shall attach the same or himself/herself to any moving vehicle.

PART VII

STREET AND SIDEWALK OBSTRUCTION

34. BARRICADED STREETS

- 34.1. No person shall drive through or upon any street or portion thereof which is roped or barricaded or where there is a notice posted up prohibiting the use of the street.

35. ANIMALS AND CARTS

- 35.1. Every person riding an animal upon roadway, and every person driving any animal with a cart shall be subject to the provisions of this bylaw applicable to the driver of any vehicle, except those provisions of this Bylaw which by their very nature can have no application.

36. HORSES OR CATTLE AT LARGE

- 36.1. No person shall suffer or permit any horses or cattle to run at large on any street.

37. OBSTRUCTION OF VILLAGE PROPERTY

- 37.1. No persons shall place or cause to be placed or keep or maintain on any sidewalk, street, or easement within the Village any article or thing that obstructs free passage thereon, or the entire use thereof, by vehicles or pedestrians.
- 37.2. No person shall maintain any trees, hedges or shrubs on private land in such a manner as to cause an obstruction on any sidewalk, street, or easement and preventing free passage thereon, or the entire use thereof, by vehicles or pedestrians.
- 37.3. Where any person commits or is alleged to have committed an infraction of Section 38.2 of this Bylaw, the Council or an authorized municipal employee is hereby empowered to enforce a remedy of the infraction in the same manner as provided by The Nuisance Bylaw for the control of untidy and unsightly lands or buildings.
- 37.4. The provisions of The Nuisance Bylaw for untidy and unsightly lands or buildings shall be applied.

38. VEHICLE TOWING AND SEIZURE

- 38.1. Any Police Officer or Village Official may, without warrant, seize any vehicle that, in his/her opinion:
- a) has been unlawfully placed, left or kept on any street;
 - b) lane, public parking place, other public place or on municipally owned property;
 - c) has been parked contrary to the provisions of Section 19.1, and upon request of the owner or occupant of the private parking place or private property;
 - d) has been parked or allowed to remain upon any street so as to constitute an unreasonable obstruction or interference; in the event the owner or operator of the vehicle cannot be conveniently found or refused upon request to remove such vehicle under the provisions of Section 26.1.
- 38.2. Where a Police Officer or Village Official has under Section 30.1 seized and removed or caused to be removed a vehicle they may retain it in their possession or store it in a suitable place until the expense of the seizure, removal and storage are paid.

- 38.3. Such expenses shall be a lien upon the vehicle and if the owner of the vehicle cannot after reasonable inquiry be found of if he/she fails to pay such expenses within thirty days after the day on which a notice requiring him/her to do so has been served on him/her by registered mail, the vehicle may be sold for the purpose of recovering such expenses.

PART VIII VIOLATIONS

39. PENALTIES AND NOTICES OF VIOLATION

- 39.1. Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offence and penalties are as follows:
- a) In the case of a first offense, a penalty of one hundred dollars (\$100.00)
 - b) Second and subsequent infractions shall be subject to a penalty of two hundred and fifty dollars (\$250.00)

40. PAYMENT OF NOTICES OF VIOLATION

- 40.1. Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, notice, or summons may be served on such person by a Police Officer, Municipal Enforcement Officer, or any person duly authorized by Council. Such person served with a ticket or notice may voluntarily pay same at the Village of Marengo Administration Office between the hours of 8:00 a.m. and 4:00 p.m., excepting Saturdays, Sundays, and public holidays, provided that payment is made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.
- 40.2. Service of a ticket, notice, or summons pursuant to this Bylaw may be made by:
- a) by personally delivering the ticket, notice, or summons to the person committing the breach of the provision of this Bylaw; or
 - b) by mailing such ticket, notice, or summons to the last known address of the Owner of said animal by registered mail.
- 40.3. A person to whom a Notice of Violation is being issued pursuant to this Section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to be assessed a fine as outlined in the most current Village of Marengo General Penalties Bylaw

**PART IX
COMING INTO FORCE**

41. COMING INTO FORCE

41.1. This bylaw shall come into force and take effect on the date of the final passing thereof.

42. REPEAL

42.1. Bylaw No. 7 is hereby repealed.

42.2. Bylaw No. 10 is hereby repealed.

42.3. Bylaw No. 12 is hereby repealed.

42.4. Bylaw No. 13 is hereby repealed.



Mayor



Administrator



Read a third time and adopted
this 28 day of June, 2021



Administrator



This is a true copy of original document which has not been altered in any way.

Name

Signature

Title
Signed at Marengo, Saskatchewan on July 19, 2021 Date