

TOWN OF KINISTINO
BYLAW NO. 03/17
A BYLAW TO REGULATE THE OPERATION & PARKING OF
VEHICLES AND THE USE OF THE HIGHWAYS

The Council of the Town of Kinistino in the Province of Saskatchewan enacts as follows:

PART 1 – Title, Application, Definitions and Scope

1. This bylaw may be referred to as “The Traffic Bylaw”.
2. That all the provisions and enactments set forth in this bylaw shall relate to, and be in full force and effect within the limits of the Town of Kinistino.
3. Definitions
 - (1) In This Bylaw:
 - (a) **“angle parking”** means the parking of vehicles with the right front wheel drawn up on the right-hand side of the highway, or at a distance of not more than thirty (30) centimeters from such curb, the vehicles to be placed at an angle of forty-five (45) degrees with the curb;
 - (b) **“Administrator”** means the Administrator of the Municipality;
 - (c) **“all terrain vehicle”** and/or **“ATV”** means all-terrain vehicles as defined in *The All Terrains Vehicle Act*;
 - (d) **“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;
 - (e) **“boulevard”** means that portion of right-of-way that extends from the edge of the street to the property line of the adjacent property, not including the sidewalk;
 - (f) **“bus stop”** means a portion of a highway adjacent to the curb designated by signs and/or markings as such, for the purpose of loading and unloading passengers;
 - (g) **“council”** means the council of the Town of Kinistino;
 - (h) **“curb”** means the dividing line of the street between that part of the street intended for use of vehicles and that part of the street intended for pedestrians whether marked with a curbstone or not;
 - (i) **“designated officer”** means the Administrator, RCMP, Bylaw Enforcement Officer, or any other person appointed to enforce municipal bylaws;
 - (j) **“disabled person’s parking area”** means all that portion of any street or other public place or shopping center parking lot that has been designated by sign or other marking for the exclusive parking of disabled persons vehicles;

- (k) **“disabled person’s 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 governmental jurisdiction;
- (l) **“double parking”** means the parking of a vehicle, whether occupied or not, parallel to a vehicle beside the curb in a designated parking area or parking to the rear of any vehicle that is angle parked at the curb in a designated angle parking area;
- (m) **“driver”** means any person who drives or operates or is in charge of a vehicle on a public highway and includes an operator;
- (n) **“fire lane”** means that area designated by signs or markings as a fire lane;
- (o) **“heavy vehicle”** means a motor vehicle with or without a load, which along or together with any trailer, semi-trailer or other vehicle being towed weighs 9071 kilograms or more or a motor vehicle which together with any trailer, semi-trailer or other vehicle being towed exceeds 11 meters in total length;
- (p) **“highway”** means a road, parkway, driveway, square, street or place designated and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately 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 Traffic Safety Act*;
- (q) **“intersection”** means that part of the street intended for the use of vehicles and an area set aside for placement of sidewalks and/or boulevards between the street and private property. The location of traffic signs shall indicate where the intersection begins;
- (r) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
- (s) **“loading zone”** means the portion of a public highway adjacent to the curb designated by signs and/or markings for the exclusive use of vehicles loading and unloading passengers or goods;
- (t) **“lug vehicles”** means any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having a metal track tread;
- (u) **“marking”** means any pavement marking installed on the street for the guidance, regulation, warning, direction or prohibition of traffic;
- (v) **“municipality”** means the Town of Kinistino;

- (w) **“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 a distance of not more than thirty (30) centimeters from such curb;
- (x) **“parade”** means any procession or body of pedestrian, except members of the Armed Forces, numbering more than 30, standing, marching or walking on any street or sidewalk or any group of vehicles numbering 10 or more, except funeral processions, standing or moving on any street;
- (y) **“parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- (z) **“parking area”** means any portion of a street or surfaces or unsurfaced area indicated by signs or markings as a place for parking;
- (aa) **“parking stall”** means a portion of a public highway or an area indicated by signs and/or markings and/or physical barrier as a parking space for one vehicle only;
- (bb) **“pedestrian”** means any person afoot and shall include a baby carriage or a disabled person’s chair;
- (cc) **“pedestrian cross-walk”** means that portion of a public highway designated by signs and/or markings for the use of pedestrians to cross a public highway as where there are no signs or markings, shall mean that portion of a public highway within the prolongation of the lateral boundary;
- (dd) **“person”** includes a corporation and the heirs, executors, Administrators or other legal representatives of a person;
- (ee) **“playground speed zone”** means that portion of a street designated by a sign or signs for the control of traffic adjacent to or in close proximity to a playground;
- (ff) **“police officer or police constable”** means any member of the RCMP responsible for the policing of the Town of Kinistino or any person specifically appointed by the Town of Kinistino to be a Police Officer or Constable;
- (gg) **“power turn”** means to maneuver a vehicle in such a manner to cause part of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking;
- (hh) **“RCMP”** means Royal Canadian Mounted Police or any regular member thereof;
- (ii) **“recreational vehicle”** means a self-propelled or towed vehicular type unit, primarily designed as temporary living quarters for recreational, camping or travel use and which is used solely as a family or personal conveyance and in no way used for a commercial purpose. Without limiting the foregoing, recreational vehicles include:
 1. travel trailer;
 2. cabin trailer;
 3. tent trailer;

4. truck camper;
 5. motor home;
 6. park trailer;
 7. fifth-wheel travel trailer; and
 8. boat trailer, whether loaded with a boat or not
- (jj) **“school crosswalk”** means that portion of a public highway designated by signs and/or markings for the use of pedestrians to cross a public highway;
- (kk) **“school speed zone”** means that portion of a street designated by a sign or signs for the control of traffic adjacent to or in the close proximity to a school;
- (ll) **“sidewalk”** means that portion of the right-of-way designed and intended for or used by pedestrians;
- (mm) **“sidewalk crossing”** means that portion of a sidewalk permanently improved or designed for the passage of vehicular traffic;
- (nn) **“snowmobile”** means a vehicle that:
1. is not equipped with wheels but is equipped with tractor treads
 2. alone or with skis or with skis and a propeller; or
 3. is a toboggan equipped with tractor treads or a propeller; and
 4. is designed primarily for operating over snow and is used exclusively for that purpose; and
 5. is designed to be self-propelled; and
 6. does not weigh more than 500 kilograms;
 7. other than any vehicle that is designed to accommodate eight or more persons and is used for the transportation of goods or persons;
- (oo) **“speed bumps”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- (pp) **“stopping”** means:
1. when required, a complete cessation from movement; and
 2. when prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a bylaw enforcement officer or a traffic-control signal;
- (qq) **“street”** means a road, alley or other place designed and intended for or used by the general public for the passage of vehicles and pedestrians, but does not include a parking lot, whether privately or publicly owned;
- (rr) **“tire width”** means the width indicated on the tire by the manufacturer;
- (ss) **“town”** means the Town of Kinistino, in the Province of Saskatchewan;
- (tt) **“Town Foreman”** means the Town Foreman of the Town of Kinistino.

- (uu) **“traffic”** means the movement of pedestrians, vehicles, or livestock upon any public highways in the Town;
- (vv) **“traffic hazard”** means any structure (except a house or a building) or object that obstructs, hinders, or impairs the ability of an operator of a motor vehicle to see another motor vehicle approaching on the same street or an intersecting street, or to see a pedestrian at a crosswalk or in the street;
- (ww) **“traffic sign”** means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic;
- (xx) **“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;
- (yy) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by The Traffic Safety Act;
- (yy) **“wheel”** includes tire;

- (2) Wherever in this bylaw the expression “vehicle” or “vehicular” or “vehicular traffic” is used, it shall mean and be held to include for the purposes of this bylaw, the driver or operator.

4. Scope

- (a) **Stop Streets:** highways listed in Appendix 1;
- (b) **Yield Streets:** highways listed in Appendix 2;
- (c) **No Parking Signs:** signs listed in Appendix 3;
- (d) **Angle Parking:** highways listed in Appendix 4;
- (e) **Maximum Speeds:** highways listed in Appendix 5;
- (f) **Heavy Vehicle Route:** highways listed in Appendix 6;
- (g) **Heavy Vehicle Permit:** Form 1 located in Appendix 7;
- (h) **Lug Vehicle Permit:** Form 2 located in Appendix 8;
- (i) **School Crosswalks:** intersections listed in Appendix 9;

PART II – Resolutions, Signs, Etc.,

5. Emergency Control Measures

- (1) A Police Officer, or any person acting on the direction of a police officer, or any person designated to enforce this bylaw, is hereby authorized to direct traffic in conformity with the provisions of this bylaw and *The Traffic Safety Act*.
- (2) In the case of fire or other emergency or in order to expedite traffic or safeguard pedestrians or prevent accidents or meet any unforeseen conditions, a Police Officer

or any person designated to enforce this bylaw, is hereby authorized to direct traffic in such manner as he may deem necessary whether or not in conformity with the provisions of this bylaw or *The Traffic Safety Act*.

- (3) Every person shall comply with any traffic signal or direction of a Police Officer or any person designated to enforce this bylaw, given pursuant to this section.

6. Temporary Closing and Parking

- (1)(a) Any portion of a public highway may be temporarily closed to vehicular traffic by the Mayor, RCMP, Bylaw Enforcement Officer, or by the resolution of Council of the Town in order that pedestrians may have the exclusive use thereof.
- (b) Notwithstanding any other provisions of this bylaw, the Bylaw Enforcement Officer or the RCMP shall have the authority to temporarily prevent parking on any public highway or portion thereof whenever in his judgment it may be necessary in order to avoid traffic congestion, danger or accident.
- (c) Notwithstanding any other provisions of this bylaw, the Administrator, Town Foreman or the Bylaw Enforcement Officer shall have authority to temporarily prevent parking or stopping and/or prohibit traffic on any public highway or portion thereof to allow any work to be carried out by or on behalf of the Town, such work to include but is not restricted to the removal of snow, cleaning, repairing, or maintenance on such public highway.
- (d)(i) Subject to Section 7 of this bylaw, the RCMP, Administrator, and/or the Town Foreman shall have the authority to have or cause to have temporary signs, warning devices, pavement markings, barricades or barriers to be erected, placed, or painted upon the roadway, right-of-way of a public highway for the legal information of traffic on the streets, highways and lanes in the Town.
- (d)(ii) That all such signs, warning devices, pavement markings, painting, barricades or barriers erected, placed or painted upon any such roadway, street, lane or right-of-way of a public highway and presently existing or in existence shall be deemed to have been authorized by the Administrator or the Town Foreman.
- (2) Notwithstanding any other provisions of this bylaw the Council of the Town shall have authority to designate and locate loading zones on any street in the Town.

7. Streets Prohibited to Traffic

- (1) No person driving a vehicle shall drive through or enter upon any street or portion thereof which is roped, barricaded or indicated by notice or sign as being closed under the authority of the RCMP, Administrator, or the Town Foreman, or Bylaw Enforcement Officer.
- (2) Where any street or portion thereof is roped, barricaded or indicated by notice of sign as being closed, the person driving a vehicle shall proceed in the direction as

indicated by any signs erected or placed on the street under the provisions of Section 6 (1)(d) of this bylaw.

8. Authority at Council

- (1) Subject to formal approval from the Highway Traffic Board, the Council shall have the right at all times to:
 - (a) By resolution, authorize the erection of warning and informational signs as well as what words, if any, shall be placed thereon and to abolish or remove same, and at its discretion to substitute others in place thereof, in accordance with the intent and meaning of this section and to regulate loading time in loading zones on all public highways within the Town and to designate playgrounds and recreational areas.
 - (b) By bylaw, authorize the erection of traffic signals, lights, stop and yield signs and also by bylaw to abolish, or remove same, and at its discretion to substitute others in place thereof in accordance with the intent and meaning of this section.
- (2) The design, style or shape of signs authorized by Council shall conform to standards in use.

9. Protection of and Damage to Signs

No person shall deface, injure, knock down, remove, obscure or interfere with any warning or direction signs, marker, barricade, signal or light placed, erected, or maintained by the authority of the Council, Bylaw Enforcement Officer, RCMP, Administrator, or the Town Foreman under the provisions of the Bylaw.

10. Use of Signs Forbidden

No person, unless authorized by the Council, the RCMP, the Administrator, or the Town Foreman as herein provided shall erect or maintain on any public highway in the Town, any sign, marker, signal or light.

11. Amendment of Schedules

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

12. Site Line Restrictions

- (1) The owner or occupant of a lot which abuts more than one street, at the intersection thereof shall not:
 - (a) grow or suffer to be grown or allow the growth of any tree, shrub or any plant; or
 - (b) build or suffer to be built or maintain any fence or other structure which exceeds a height of one meter above the level of the edge of the roadway

nearest and which falls within a triangle of land formed by the intersection of the two property lines on the intersecting streets and a line connecting the points on the said property lines one meter from the intersection of the said lot property line.

- (2) The Council may upon the report of a Police Officer or a Bylaw Enforcement Officer, that a hedge, shrub or tree situated at an intersection is deemed a traffic hazard, by resolution order that; such hedge, shrub or tree be removed or shortened to such a height as may be deemed necessary to overcome such a traffic hazard.

PART III – Pedestrians

13. Parades

- (1) Except for any Canada Day Parade organized by a community group in the Town, no parade shall be held in the Town without the written permission first obtained from the Town Office, who shall designate or approve the hour and route of the parade. Any person desiring to hold a parade shall apply to the Administrator in writing for a permit therefore not less than forty-eight (48) hours before the time set for the commencement of the parade and shall give full particulars thereof.
- (2) No person shall hold, take part in or be a member of a parade unless such parade has been duly permitted or authorized as aforesaid.
- (3) No driver of a vehicle, nor any pedestrian, shall cross through any parade or in any way obstruct or interfere with the same.

14. Skateboards, Longboards, Rollerblades and other Means of Conveyance

- (1)(a) No person, skateboarding, longboarding or roller-blading shall do so in a manner which causes damage to a street, sidewalk or other public place designed and intended for or used by pedestrians.
- (b) Any person skateboarding, longboarding or roller blading on any public sidewalk, shall yield to pedestrians.

15. Use of Streets for Business

Except as may be authorized by Bylaw, or resolution of the Council, no person shall engage in, conduct or carry on any business or display any articles for sale, including a vehicle, on any public highway or sidewalk or boulevard or any land vested in the municipality, within the Town of Kinistino's corporate limits, with the exception of permitted garage sales and the like.

PART IV – Bicycles

16. Bicyclists must follow the *Rules of the Road*.

17. No person shall leave a bicycle in a reclining position on a street, sidewalk or public place in the Town. On those streets on which there is a curb, bicycles when left at the curb shall be left in an upright position. No person shall chain or secure by any means whatsoever a bicycle to a pole, tree or any structure on a street, sidewalk or boulevard other than designated bicycle stands.

18. Motorized Bicycles

- (1) No person shall drive a motorized wheeled vehicle that is not capable of being licensed pursuant to *The Traffic Safety Act* on any sidewalk, street, highway, lane, park, playground or dedicated land.
- (2) No person shall drive a motorized wheeled vehicle that is not capable of being licensed pursuant to *The Traffic Safety Act* on any property owned or controlled by the Town, unless prior written authorization has been obtained from the Town.
- (3) The provisions of this section do not apply to motorized wheelchairs operated by handicapped or elderly or frail persons, provided the vehicle has a pole and flag attached that is easily seen and identified by other motorists.

19. Seizure of Bicycles and Motorized Wheeled Vehicles

Any Police Officer or Bylaw Enforcement Officer may seize, without warrant, any bicycle or motorized wheeled vehicle that is not capable of being licensed pursuant to *The Traffic Safety Act* that is being operated or parked in violation of Sections 16, 17, or 18, and may impound said bicycle or motorized wheeled vehicle for a period not exceeding fourteen (14) days.

PART V – Stopping and Parking

20. Loading Zone

- (1) No operator of a vehicle shall remain in a loading zone for a period longer than five (5) minutes for the purpose of embarking or disembarking passengers, provided that on the expiration of the five (5) minute period the onus of proof of loading or unloading of passengers shall rest with the driver of any vehicle found in such loading zone.
- (2) No operator of a vehicle shall remain in a loading zone for a period exceeding fifteen (15) minutes for the purpose of loading or unloading goods.

21. Prohibition of Temporary Parking

No person shall park a vehicle on any public highway or portion thereof on which parking has been temporarily prohibited by the RCMP, Town Foreman or the Bylaw Enforcement Officer under the provisions of Paragraphs (a), (b), (c), and (d) of Subsection 6(1) of this bylaw.

22. Obstructing Traffic

No pedestrian or operator of a vehicle, whether making deliveries from the vehicle or not, shall obstruct, interfere with or interrupt the free passage of traffic on any street, lane or driving lane of any street or sidewalk.

23. Deliveries in Lane or Alley

Wherever access can be had to an alley or rear land, persons making deliveries or collections of commodities to or from stores, restaurants, hotels and commercial buildings, shall make them therein, and shall not remain there for more than 30 minutes.

24. Stop at Curb

Every operator of a vehicle shall draw up to the right-hand curb before stopping unless such stop be necessary to avoid a collision or for the purpose of immediately reversing the vehicle to place it at the curb, except on one-way streets where the driver may draw up to the left-hand curb.

25. Parking at Curb

- (1) No person shall park any vehicle on any street except on the right-hand side thereof having regard to the direction in which the vehicle was proceeding, with the right front and rear wheels not more than thirty (30) centimeters from the curb and where there is no curb with the right front and rear wheels as near to the right-hand limit of the street as is practicable; and where a parking stall has not been designated, a clear space of at least sixty (60) centimeters shall be maintained in front and/or behind any vehicle or vehicles previously in parking position.
- (2) Notwithstanding the provisions of Subsection (1) hereof, where angle parking is designated on Appendix 4, every person shall park a vehicle only in accordance with the definition of "angle parking" as outlined in Section 3(1)(a) with the front end of the vehicle nosed in to the header or property line. The provisions of this subsection shall also apply to all angle parking in parking stalls, parking lots or other places where parking of vehicles is permitted.
- (3) The provisions of Subsection (1) hereof shall not apply to any operator of a motorcycle. Every operator of a solo motorcycle shall park at an angle of forty-five (45) degrees to the curb with the rear wheel against the curb. Every operator of a motorcycle having a sidecar attached shall park same on the right-hand side of any street with the right rear wheel not more than thirty (30) centimeters from the curb.

26. Stopping Prohibited in Specified Places

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

- (1) on a sidewalk;
- (2) on a crosswalk;

- (3) on a boulevard, or the area set aside for a boulevard or sidewalk;
- (4) in front of the driveway entrance of any fire station;
- (5) with its left-hand side to the curb;
- (6) at any other place where traffic signs prohibit stopping during such times as stopping is so prohibited.
- (7) at any place where the sidewalk or curb has been painted yellow

27. Parking Except as Otherwise Provided in This Bylaw or as Otherwise Provided in any Other Bylaw Passed by Council Before or After the Coming into Effect of This Bylaw

No operator of a vehicle shall park said vehicle:

- (1) within any alley or lane;
- (2) so as to obstruct any private driveway;
- (3) any place mentioned in Section 26;
- (4) on all streets or portion thereof as set out in Appendix 3 attached and forming part of this Bylaw, established as streets or portions thereof on which no vehicle shall be parked at any time, or at specified times, and the erection of the appropriate signs by the Town Foreman or Bylaw Enforcement Officer is hereby authorized;
- (5) any place where parking is prohibited by a police order sign, provided that the painting of a curb yellow shall, for the purpose of this Bylaw, be deemed a police order sign, and no person, unless acting under the instructions of the Police or Bylaw Enforcement Officer, Town Foreman, or Town Council, shall paint or permit any curb to be so painted;
- (6) designated for carrying or intended for the carrying of oil, gasoline or other inflammable, combustible or explosive material, within thirty (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 except for such period of time as may be necessary to take on or discharge cargo;
- (7) in any private parking place or on any private property of which the vehicle owner is not the owner, occupant, lessee, or permittee of the private property, except with the consent of the owner, occupant, lessee or permittee of the private property;
- (8) no vehicle, trailer, or recreational vehicle shall be parked or left standing in such a manner that any portion of the vehicle, trailer, or recreational vehicle extends over a sidewalk or sidewalk crossing;
- (9) within three (3) meters of the entrance of any alley or lane on all streets where parallel parking is permitted;
- (10) within three (3) meters of a fire hydrant measured parallel to the curb;
- (11) within six (6) meters on either side of any sidewalk crossing;

- (12) within six (6) meters of blocks corners at intersections on streets where parallel parking is permitted;
- (13) that has a greater manufacturer's rated carrying capacity of more than 9,071 kgs on any highway;
- (14) in or on any ditch or lane that is required by the town for the purposes of facilitating proper drainage.

28. Emergency Vehicles

- (1) Subsections 26 and 27 shall not apply to any person operating a bylaw enforcement or emergency vehicle, while responding to or attending to an emergency situation.
- (2) The driver of an emergency vehicle may use emergency lights and warning devices during an emergency training exercise that is held within the Town of Kinistino and is approved by the Fire Chief and the Administrator of the Town. A simulated emergency during the emergency training exercise shall be deemed a real emergency and Section 238 of the *Traffic Safety Act* shall apply thereto.

29. Trailer or Semi-Trailer Parked

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

30. Parking of Recreational Vehicles

- (1) An owner or operator of a recreational vehicle shall not park the recreational vehicle on a highway in the Town of Kinistino for more than twenty-four (24) consecutive hours following which the owner or operator shall move the recreational vehicle to an off-street location for a period of not less than forty-eight (48) consecutive hours before the recreational vehicle may be parked again on a highway.
- (2) No owner or operator of a recreational vehicle shall park the recreational vehicle on any highway pursuant to this Subsection in such a manner as to constitute a hazard to other persons using the street.
- (3) Any recreational vehicle parked on a highway pursuant to this Subsection shall display a current license plate.

- (4) All recreational vehicles that are parked on a highway for a twenty-four (24) hour period or less must be attached to a vehicle.

31. Parking of Unlicensed Vehicles

No vehicle shall be parked on a public highway unless it is licensed for the current year.

32. Parking Areas

- (1) School buses shall be parked only at the school parking lot or the parking lot at the corner of Main Street and Railway Avenue.
- (2) In parking areas set aside for the parking of other vehicles by resolution of Council, no person shall:
 - (a) park a vehicle for more than twenty-four (24) hours at any one time;
 - (b) park a vehicle so as to block the exit of any vehicle already parked therein or in such a manner as to obstruct or interfere with the use of any remaining space therein by others for parking purposes;
 - (c) enter or leave such parking area in any other manner than as indicated by signs posted in the said area not park a vehicle otherwise than as indicated on signs erected in the said parking area.

33. Maximum Parking – 72 Hours

Any vehicle parked for an uninterrupted period of time in excess of seventy-two (72) hours on any street may be seized, removed and impounded at the expense of the owner thereof.

34. Chalk Marks

- (a) In order to determine the time which a vehicle or recreational vehicle has been parked in a location where parking is restricted to a specific time, any person authorized to enforce this Bylaw may place an erasable chalk mark on the tread base of the tire of the parked or stopped vehicle or recreational vehicle without such person or the Town incurring any liability for doing so.
- (b) No person shall remove an erasable chalk mark placed under Subsection (a) while the vehicle or recreational vehicle remains parked in the location where it is marked.

35. Parking Vehicles Exceeding (11) Eleven Meters in Length

Subject to Sections 29 and 30, no person driving a vehicle, combination of vehicles, or other vehicles in excess of 11 meters shall park on any highway, in a residential area, in the Town of Kinistino, with the following exceptions:

- (1) On-street mobile food trucks, provided these trucks are operating with an approved Town of Kinistino business license; and

- (2) Within the Commercial Districts, as defined by the Town of Kinistino's Zoning Bylaw, between the hours of 9:00 am and 4:00 pm, Monday to Saturday, inclusive

36. Disabled Person's Parking

No person shall park a vehicle except a vehicle identified as being operated by a disabled person, or by a person transporting a disabled person in any area specifically posted for the parking of vehicles operated by disabled persons, including private businesses that have provided disabled person's parking with appropriate signage.

PART VI – Speed and Rules of the Road

37. Speed Limit

- (1) A person shall not drive any vehicle on a street at a speed greater than the speed permitted in Appendix 5.
- (2) Notwithstanding Subsection 37(1) a person shall not drive a vehicle on a street in a posted construction area at a speed greater than the posted speed limit for the construction area.

38. Towing

No operator of a vehicle shall tow more than one other vehicle at a time on any street in the Town of Kinistino.

39. No Splashing of Pedestrians

When water, mud or slush is lying on any highway, in the Town of Kinistino, the operator of every vehicle thereon shall so reduce the speed of his vehicle to avoid splashing any pedestrian using the sidewalk or crosswalk.

40. U – Turns and Power Turns

- (1) No person shall cause a vehicle to make a "U-Turn" at any of the street intersections indicated in Appendix 1 and Appendix 2. This shall also apply to all traffic approaching and facing a "No U-Turn" sign erected.
- (2) No person shall cause a vehicle to make a "power turn" on any highway in the municipality.

41. Driving on Playgrounds and Parks

- (1) No person shall park or drive a vehicle upon or across a playground or a park over which the Town or any Board appointed by the Town for that purpose, has control, supervision or management except for areas designated by signs or authorized under this bylaw by the Council.

- (2) The provisions of Subsection 41(1) shall not apply to employees of the Town who are in execution of their duties.

42. School Crosswalks

School Crosswalks are hereby established at the streets set out in Appendix 9, hereto attached and forming part of this Bylaw, and the following provisions shall apply to each school crosswalk so set out:

- (1) When a pedestrian crossing a roadway within a school crosswalk is upon the roadway upon which a vehicle is traveling, the driver of such vehicle shall yield the right-of-way to the pedestrian by slowing down or stopping, if necessary.
- (2) When a vehicle is stopped at a school crosswalk, the driver of any vehicle overtaking the stopped vehicle shall bring the vehicle to a full stop before entering the school crosswalk and shall yield the right-of-way to a pedestrian who is within the school crosswalk.
- (3) When a vehicle is approaching a school crosswalk, the driver of any other vehicle approaching from the rear of such vehicle shall not overtake and pass such vehicle.
- (4) No pedestrian shall leave the curb or other place of safety at a school crosswalk and walk or run into the path of a vehicle that is so close that it is impractical for the driver of such vehicle to yield the right-of-way.
- (5) While school patrols are operating in a school crosswalk, all vehicles shall obey and respect the signs and signals of the school patrollers.

43. Stop Streets

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “stop” sign on all streets set out in Appendix 1 attached hereto and forming part of this bylaw are established as stop streets and the erection of stop signs for the said streets is hereby authorized.

44. Yield Streets

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “yield” sign on all streets set out in Appendix 2 attached hereto and forming part of this bylaw are established as yield streets and the erection of yield signs for the said streets is hereby authorized.

PART VII – Heavy Vehicle Routes, Weights and Regulations

45. (1) No person shall operate a heavy vehicle on any street or portion of a street except those set out in Appendix 6 attached hereto and forming part of this Bylaw, without first obtaining from the Administrator, a permit in writing authorizing same, and prohibitions against so driving are hereby established upon the streets or portions thereof except those

set out in said Appendix 6. The streets or portions thereof as set out in Appendix 6 are hereby established as heavy vehicle routes;

- (a) Subsection 45(1) shall not apply to any persons operating a heavy vehicle for the Town or owned by the Town while in use, to provide necessary service(s) to the Town;
 - (b) Subsection 45(1) shall not apply to heavy vehicles being operated for the collection or delivery of goods within the Town limits. However, a heavy vehicle proceeding to or from a point of collection or delivery shall proceed to or from such point by or to the nearest heavy vehicle route.
 - (c) Subsection 45(1) shall not apply to emergency vehicles and buses while in use to provide necessary service(s) to the Town;
 - (d) The Administrator is hereby authorized to issue permits in writing for the purpose of Section 45(1) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 7. Provided that the Administrator shall not issue any such permit unless he/she is satisfied that with reasonable care in operation, the heavy vehicle may be propelled or driven over any highway without damage resulting thereto or to any bridge or culvert thereon.
- (2) The person designated to enforce bylaws within the Town, having reason to believe that the gross weight of a vehicle and its load or the gross weight on an axle or wheel of a vehicle is in excess of the maximum gross weight prescribed by this Bylaw, may weigh the same by the means of a portable or stationary scale and may require the person in charge of the vehicle to take the vehicle and its' load to the nearest scale if not more than forty (40 kilometers away. The officer may require the person in charge of the vehicle to immediately unload the contents of the cargo as may be necessary to decrease the gross weight of the vehicle, axle or wheel.
 - (3) No person in charge of a vehicle shall take any action to alter the weight of the vehicle or the distribution of the weight of the load during transit to the weigh scales.
 - (4) In addition to penalties set out in Section 55, a further penalty shall be imposed as follows:
 - (a) ten (10) dollars for each fifty (50) kilograms or fraction thereof for the first 1,000 (one thousand) kilograms in excess of the prescribed maximum gross weight allowable; and
 - (b) ten (10) dollars for each 50 kilograms or fraction thereof in excess of 1,000 (one thousand) kilograms that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 (five hundred) kilograms or 2 (two) percent of the maximum gross weight fixed by the bylaw, whichever is the lesser, shall not be taken into account

- (5) In a prosecution for a violation of this Section, a Certificate of Inspection and Verification of a static weighing machine, bearing a date not more than one year prior to or subsequent to the date of offence charge.

46. Vehicles Damaging Highways

- (1) No person shall propel, operate or drive any lug vehicle upon any highway within the Town without first obtaining from the Administrator, a permit in writing authorizing same.
- (2) The Administrator is hereby authorized to issue permits in writing for the purpose of Section 46(1) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 2, Appendix 8. Provided that the Administrator shall not issue any such permit unless he/she 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.
- (3) Nothing contained in Subsection 46(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.

PART VIII – Enforcement Provisions

47. All to Comply

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

48. Owner of Vehicle

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

49. Seizure, Removal, and Impounding of Vehicles

- (1) In addition to and notwithstanding any provisions contained within Part VIII hereof, as outlined in Subsection 371.1 of the Municipalities Act, any person appointed as a designated officer pursuant to this bylaw may remove or cause to be removed any vehicle that:

- (a) is unlawfully placed, left or kept on any street, public parking place, or other public place;
 - (b) is unlawfully parked pursuant to Section 27, when requested to be corrected by the owner, occupant, licensee, or permit holder of said land; or
 - (c) is found on a street, public parking place, other public place, or municipality-owned property when:
 - (i) the owner of the vehicle owes three (3) or more outstanding fines to the municipality for parking offences;
 - (ii) the appeal period against the imposition and amount of said fines has expired;
 - (iii) at least two (2) notices that the fines are outstanding were sent to the owner at least one (1) week apart; and
 - (iv) a justice, having been satisfied by evidence provided by way of oath, affidavit or statutory declaration of the existence of the facts mentioned above in Subsection (1)(a) to (c)(iii), has issued an order authorizing the removal and impoundment.
 - (d) and seize, impound or store such vehicle.
- (2) The municipality may retain a vehicle which has been impounded or stored after it has been removed under Subsection 1 until the amount of outstanding fines, if any, and the costs incurred in removing and impounding or storing the vehicle have been paid, and upon payment of said outstanding fines and cost the vehicle shall be released to the owner.
- (3) If the fines and costs described in Subsection (2) have not been paid within a period of thirty (30) days, the municipality shall have the right to recover same from the owner of the vehicle by:
- (a) legal action in court of competent jurisdiction;
 - (b) sale through public auction;
 - (c) by private sale of the vehicle; or
 - (d) otherwise disposing of the vehicle.
- (4) Prior to the sale of a vehicle which has been impounded or stored under this section, the municipality shall provide notice designating the time and place of the sale at least fourteen (14) days prior to the sale by:
- (a) publishing a notice in a newspaper circulating in the municipality;

- (b) sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - (c) by any other means which council may consider appropriate.
- (5) The proceeds from such sale shall be applied firstly on the fines and costs described in Subsection (2) and the balance remaining, if any, shall be paid to the owner.
- (6) If the proceeds from such sale are insufficient to satisfy the fines and costs described in Subsection (49)(2), the amount of the shortfall shall be a debt due and owing from the owner and enforceable by the municipality in any manner allowed by law.

PART IX – Penalties

50. General

Any person convicted of a breach of the provisions of this bylaw shall forfeit and pay at the discretion of the convicting provincial magistrate or Justice of the Peace having jurisdiction a penalty of not less than \$50.00 and not more than \$500.00 exclusive of costs and upon default of payment thereof the person convicted may be committed to a correctional institution for any time determined by the said provincial magistrate or Justice of the Peace not exceeding thirty (30) days unless the penalty and costs including the costs of committal and of the conveyance of the person convicted to the said correctional institution are sooner paid.

51. Voluntary Payment \$100.00

Notwithstanding the provisions of Section 56 to the contrary, any person who has committed or is alleged to have committed an Offence under the following sections of this bylaw may pay a voluntary penalty of \$100.00

<i>Section</i>	<i>Offence</i>
17	Leaving Bicycles on Streets
19	Unlicensed Motor Wheeled Vehicles

provided however, that if the payment is made within seven (7) days of the service of the ticket or notice, the penalty will be reduced to \$10.00.

52. Voluntary Payment \$200.00

Notwithstanding the provisions of Section 56 to the contrary, any person who has committed an Offence under the following sections of this bylaw may pay a voluntary penalty of \$200.00:

<i>Section</i>	<i>Offence</i>
5	Emergency Control Measures
13.4	Interfering With Parade

- 20 Loading Zone
- 21 Temporary Prohibition of Parking
- 22 Obstructing Traffic
- 24 Stopping at Curb
- 25 Parking at Curb
- 26 Stopping Prohibited in Specific Places
- 27 Parking
- 31 Parking Unlicensed Vehicle
- 32 Parking Areas

provided, however, that if the payment is made within seven (7) days of the service of the ticket or notice, the penalty will be reduced to \$20.00.

53. Voluntary Payment of \$500.00

Notwithstanding the provisions of Section 56 to the contrary, any person who has committed or is alleged to have committed an Offence under the following sections of this bylaw may pay a voluntary penalty of \$500.00:

<i>Section</i>	<i>Offence</i>
6	Temporary Closing and Parking
7	Streets Prohibited to Traffic
12	Site Line Restrictions
33	Parking over 72 Hours
41	Driving on Parks and Playgrounds

provided, however, that if the payment is made within seven (7) days of the service of the ticket or notice, the penalty will be reduced to \$50.00.

54. Voluntary Payment \$200.00

Notwithstanding the provisions of Section 56 to the contrary, any person who has committed or is alleged to have committed an Offence under the following sections of this bylaw may pay a voluntary penalty of \$200.00:

<i>Section</i>	<i>Offence</i>
10	Unauthorized Signs
15	Unauthorized Use of Streets for Business
23	Deliveries in Lanes
38	Towing More Than One Vehicle
39	Splashing of Pedestrians
40	U-Turns and Power Turns
42	School Crosswalks
46.	Vehicles Damaging Highway

provided, however, that if the payment is made within seven (7) days of the service of the ticket or notice, the penalty will be reduced to \$25.00.

55. Voluntary Payment of \$200.00

Notwithstanding the provisions of Section 56 to the contrary, any person who has committed or is alleged to have committed an Offence under the following sections of this bylaw may pay a voluntary penalty of \$200.00:

<i>Section</i>	<i>Offence</i>
9	Damaging Signs
29.1	Parking Unattached Trailer or Semi-Trailer
30	Parking of Recreational Vehicles
35	Vehicle Exceeding 11 Meters in Residential Areas
36	Parking in Handicapped Area
45	Heavy Vehicle Routes, Weights, Regulations

provided, however, that if the payment is made within seven (7) days of the service of the ticket or notice, the penalty will be reduced to \$50:00.

PART X – Payment of Fees

56. Payment of Fees

- (1)(a) Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw specified in Sections 51, 52, 53, 54, and 55 hereof, a ticket or notice of violation may be served on such person by a member of the RCMP, Bylaw Enforcement Officer, or any person duly authorized by the council. Such person served with a ticket or notice may pay same at the Kinistino Municipal Office during regular office hours, Monday to Friday, in lawful money of Canada in an amount equal to the fine fixed in the said Sections 51, 52, 54 and 55, provided that payment must be made within a period of seven (7) 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 offence.
- (b) Service of such ticket or notice may be made by attaching the ticket or notice to the vehicle in respect of which an offence has been committed or by mailing such ticket or notice addressed to the person who has committed the offence.
- (2) If the person given such ticket or notice fails to pay the specified fine within the time allowed, then the provisions of this section shall no longer apply and the person shall be liable to prosecution for the Offence in the ordinary way, provided that nothing in this section shall prevent any person served with such ticket or notice from exercising his right to defend any of these specified Offences.

PART VI – Repeal and Coming into Force

57. Repeal

Bylaw No 06/12 and all amendments thereto are hereby repealed.

58. Coming into Force

This Bylaw shall come into force and effect on the day it is approved the Council of the Town of Kinistino.

Read a first time the 11th day of October, 2017

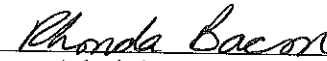
Read a second time the 8th day of November, 2017

Read a third time and adopted the 8th day of November, 2017






Mayor



Administrator

Certified to be a true copy of Bylaw No. 03/17 adopted by resolution of Council on the 8th day of November, 2017.





Administrator

APPENDIX

APPENDIX 1:	STOP STREETS
APPENDIX 2:	YIELD STREETS
APPENDIX 3:	NO PARKING
APPENDIX 4:	ANGLE PARKING
APPENDIX 5:	SPEED LIMITS
APPENDIX 6:	TRUCK ROUTE
APPENDIX 7:	FORM 1 – HEAVY VEHICLE PERMIT
APPENDIX 8:	FORM 2 – LUG VEHICLE PERMIT
APPENDIX 9:	SCHOOL CROSSWALKS

APPENDIX 1

STOP STREETS

<u>Street or Avenue</u>	Where Intersected by <u>Street or Avenue</u>	
First Street	- south side of Kinistino Ave.	- north side of Railway Ave.
Second Street	- south side of Meyers Ave. - north side of Railway Ave.	- north & south side of Kinistino Ave.
Main Street	- north & south side of No. 3 Highway - north & south side of Meyers Avenue	- Dixon Avenue junction
Fourth Street	- north & south side of Kinistino Ave. - south side of Meyers Ave.	- north side of Railway Ave.
Fourth St. Crescent	- north side of Meyers Ave. - east & west side of Saskatchewan Crescent	- Dixon Ave. Junction
Fifth Street	- north side of Railway Ave.	- north & south side of Meyers Ave.
Railway Avenue	- east & west side of Main St.	- west side of Dixon Ave.
Kinistino Avenue	- east & west side of Main St.	- east side of Fifth St.
Bartlett Avenue	- east & west side of Main St.	- east side of Fifth St.
Meyers Avenue	- east & west side of Main St. - east & west side of Fifth Street	- east & west side of Fourth Street
Saskatchewan Crescent	- west side of Main St.	- south side of Fourth St. Crescent
Cote Street	- east side of Dixon Ave.	
Ruttle Avenue	- south side of Maple Dr.	
Maple Drive	- east side of Dixon Ave.	
Valley Drive	- east side of Dixon Ave.	- north side of No. 3 Highway
Dixon Avenue	- north side of No. 3 Highway	
Eagle Crescent	- south side of No. 3 Highway	
Railway Avenue South	- east & west side of Main St. - north side of No. 3 Highway (west side of Town)	

APPENDIX 2

YIELD STREETS

<u>Street or Avenue</u>	Where Intersected by <u>Street or Avenue</u>
Second Street	- north and south side of Bartlett Ave.
Fourth Street	- north and south side of Bartlett Ave.
Kinistino Avenue	- west side of Dixon Ave.
Bartlett Avenue	- west side of Dixon Ave.
Meyers Avenue	- west side of Dixon Ave.
Cote Street	- west side of Ruttle Ave.
Ruttle Avenue	- north and south side of Valley Dr.
Railway Avenue South	- west side of Dixon Ave. - north side of Valley Dr.
Legion Place	- north side of Margolis Dr.
Margolis Drive	- east side of Fifth St.
Saskatchewan Crescent	- south side of Fourth St. Crescent

APPENDIX 3

NO PARKING

1. Within six (6) metres of the school parking lot entrance on the west side of Fifth Street and within six (6) metres north of the intersection of Fifth Street and Bartlett Avenue on the east side of Fifth Street.
- 2, On the west side of Dixon Avenue from Main Street to Railway Avenue during the months of May through October.

APPENDIX 4

ANGLE PARKING

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Main Street	Railway Avenue	Bartlett Avenue
South side of Kinistino Avenue	Main Street	Fourth Street

APPENDIX 5
SPEED LIMITS

1. 30 km/h in any posted school/playground speed zones.
2. 30 km/h on any lane or alley
3. 40 km/h on all roadways in Town not previously provided for

APPENDIX 6

TRUCK ROUTE

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Main Street	Hwy. #3	Railway Ave. South
Dixon Avenue	Hwy. #3	Main Street
Meyers Avenue	Dixon Avenue	Water Tower
Railway Ave. South	Hwy. #3	Main Street

APPENDIX 7

FORM 1

TO BYLAW NO. 03/17
The Traffic Bylaw

TOWN OF KINISTINO, SASKATCHEWAN
APPLICATION FOR A HEAVY VEHICLE PERMIT

I, _____ of _____, Saskatchewan, hereby make application for a permit to operate the following "heavy vehicle": _____ within the boundaries of the Town of Kinistino.

For the purpose of _____

The following is the route in and out of town that I plan to take _____

The date(s) I require this permit
_____, 20_____
_____, 20_____
_____, 20_____
_____, 20_____
_____, 20_____

<i>For Office Use</i>	
Approved	<input type="checkbox"/>
Not Approved	<input type="checkbox"/>
Permit Number:	_____
_____ Signature of Authorized Personnel	

I agree to comply with the regulations of the local authority and to be responsible and pay for any damage done to any property as a result of the issuance of this permit. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, acts and regulations.

Date

Signature of Owner or Owner's Agent

APPENDIX 8

FORM 2

TO BYLAW NO. 2015-07
The Traffic Bylaw

TOWN OF KINISTINO, SASKATCHEWAN
APPLICATION FOR A LUG VEHICLE PERMIT

I, _____ of _____, Saskatchewan, hereby make application for a permit to operate the following "lug vehicle": _____ within the boundaries of the Town of Kinistino.

For the purpose of _____

The following is the route in and out of town that I plan to take _____

The date(s) I require this permit
_____, 20_____
_____, 20_____
_____, 20_____
_____, 20_____
_____, 20_____

<i>For Office Use</i>	
Approved	<input type="checkbox"/>
Not Approved	<input type="checkbox"/>
Permit Number: _____	
_____ Signature of Authorized Personnel	

I agree to comply with the regulations of the local authority and to be responsible and pay for any damage done to any property as a result of the issuance of this permit. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, acts and regulations.

Date

Signature of Owner or Owner's Agent

APPENDIX 9

SCHOOL CROSSWALKS

1. Crossing 5th Street in a straight line to the school property on the west side of the intersection of 5th Street and Bartlett Avenue;