

## BYLAW 02-2023

### TOWN OF MARSHALL Traffic Bylaw

#### A BYLAW OF THE TOWN OF MARSHALL IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE OPERATION OF VEHICLES.

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

1. **INTERPRETATION:**

- a) **“angle parking”** means the parking of vehicles with the right front wheel drawn up to the curb on the right-hand side of the highway, or at a distance of not more than thirty (30) centimeters from each curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- b) **“Boulevard”** means the strip of land between the curb and the sidewalk and between the sidewalk and the property line or, where there is no sidewalk, the strip of land between the curb and the property line whether developed or not, or the strip of land between the designated roadway and property line.
- c) **“clerk”** means the clerk/administrator of the municipality;
- d) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- e) **“heavy vehicle”** means a vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes or more;
- f) **“highway”** means a road, parkway, square 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 or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the municipality as designated pursuant to the provisions of **The Highway Act**;
- g) **“lug vehicle”** means any vehicle, portable engine or traction engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
- h) **“municipality”** means the Town of Marshall;
- i) **“one-way highway”** means highway as ascribed to it by **The Highway Traffic Act**;
- j) **“parallel parking”** means the parking of a vehicle with both right wheels thereof drawn up to the curb on the right-hand side of the highway, or at a distance of not more than thirty (30) centimeters from such curb;
- k) **“park”, “parking”** have the meanings ascribed thereto by **The Highway Traffic Act**;

- l) **“place of public assembly”** means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly;
- m) **“power turns”** 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;
- n) **“Public Reserve”** means land owned by the Municipality.
- o) **“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:
  - (i) travel trailers;
  - (ii) cabin trailers;
  - (iii) tent trailers;
  - (iv) truck camper;
  - (v) motorhome;
  - (vi) park trailer;
  - (vii) fifth-wheel travel trailer; and
  - (viii) boat trailer.
- p) **“special constable”** means the Royal Canadian Mounted Police or a person appointed to enforce municipal bylaws;
- q) **“speed zone”** means any portion of a highway within the Town of Marshall, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- r) **“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;
- s) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to it by **The Highway Traffic Act**;

## 2. **SCOPE**

### a) **“STOP STREET”**

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 highway, approached from all four (4) directions as listed in APPENDIX 3 are designated as “No U-Turn” intersections.

### d) **“ONE-WAY HIGHWAY”**

The highways as listed in APPENDIX 4 are designated as “One-Way Streets”.

### e) **“LOADING ZONES”**

The highway locations as listed in APPENDIX 5 are designated as “LOADING ZONES”.

### **3. INFRACTIONS**

#### **a) "STOP" STREETS**

The provisions of The Highway Traffic Act shall apply to all traffic approaching and facing a "Stop" sign erected and maintained in accordance with the provisions of section 4(a).

#### **b) "YIELD STREETS"**

The provisions of The Highway Traffic Act shall apply to all traffic approaching and facing a "Yield" sign erected and maintained in accordance with the provisions of section 4(b).

#### **c) MISCELLANEOUS SIGNS**

- 1) No person 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.
- 2) No person shall deface damage, destroy or remove any sign or marker erected pursuant to this bylaw.

#### **d) SCHOOL BUS FLASHING LIGHTS**

- 1) Subject to subsection (3), the operator of a school bus when operating a school bus on public highways in the municipality shall not activate the safety lights.
- 2) School Buses are not to deviate from routes listed in APPENDIX 6 when entering or leaving Marshall on their regularly scheduled trips.
- 3) The provisions of subsection (1) shall not apply at the locations listed in APPENDIX 6.

#### **e) LUG VEHICLES**

- 1) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained from the Administrator, a permit in writing authorizing same.
- 2) The Administrator is hereby authorized to issue permits in writing for the purpose of section (e) (1) of this bylaw in any case where the applicant therefor has signed a written undertaking in for 1, APPENDIX 7. Provided that the Administrator 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 any damage resulting thereto or to any bridge or culvert thereon.
- 3) Nothing contained in section (e)(1) shall be deemed to preclude the transport of a lug vehicle as herein defined over any highway where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

#### **f) PARKING**

- 1) Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- 2) i) subject to the provisions of subsection (ii) no person shall park a vehicle in any lane, or any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises and or emergency, handicap lanes which are posted.  
ii) notwithstanding the provisions of subsection (i), a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the Administrator, or a special constable of the municipality for an extension of such time limit.

- 3)
  - i) subject to subsection (ii) every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park same.
  - ii) every person parking a vehicle upon a highway listed in APPENDIX 8 shall angle park same.
- 4) No person shall park a vehicle in any “No Parking” areas as designated in APPENDIX 9 at any time whether such areas are marked on the curb or otherwise by signs erected and maintained in accordance with the provisions of section 4(d) to indicate that parking is prohibited.
- 5) No person shall park a vehicle within five (5) meters of any street intersection or fire hydrant.
- 6) Any vehicle/trailer parked for an uninterrupted period of time in an excess of 24 hours on any street or boulevard may be seized, removed and impounded at the expense of the owner thereof.
- 7) No person shall park or leave parked, at any time, a trailer or semi-trailer that is detached from the vehicle used for towing/moving the same. This does not apply to a recreation vehicle.
  1. No person shall park a trailer or semi-trailer on a boulevard or an area set aside for a boulevard, or on a street or an area set aside for a street from October 31<sup>st</sup> to April 30<sup>th</sup> or in any given winter months without permission. Recreation vehicles may park on a boulevard from May 1 to October 31<sup>st</sup> or in any Spring, Summer and Fall months.
  2. No owner or operator of a recreational vehicle shall not park the recreational vehicle on any highway or boulevard, pursuant to this subsection, in such a manner as to constitute a hazard to other persons using the street at any time.( slideouts into the street or over sidewalk).
  3. Any recreational vehicle parked on a highway pursuant to this section shall display a current license plate.
- 8) No person shall park any vehicle in any private parking place or on any private property unless he 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.
- 9)
  - i) subject to subsection (ii), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or other flammable. Combustible or explosive material, within 30 (meters from any building in the municipality used or intended for use, in whole or in part, as a place of dwelling, a hotel, place of public assembly, emergency lanes and or handicap lanes.
  - ii) nothing in subsection (i) 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.
- 10) No person shall park a vehicle with a manufactures’ rated capacity in excess of 5,500 kg on any street or avenues designated in APPENDIX 10.

g) **POWER TURNS**

The operator of a vehicle shall not execute “power turns” on any highway in the municipality.

h) **SPEED**

- 1) Subject to subsection (2), no person shall operate a vehicle in the municipality at a speed greater than thirty (30)km/h and fifty (50)km/h S-Curve, and entering of highway 688 on the south side of Marshall.
- 2) No person shall operate a vehicle at a greater speed than thirty (30) km/h in the speed zones as set out in APPENDIX 11.
- 3) No person shall operate a vehicle at a speed greater than twenty (20) km/h on all lanes and alleys.

i) **U-TURNS**

- 1) No person shall cause a vehicle to make a U-Turn between intersections, and at the intersection of a highway with a lane or an alley in the municipality.
- 2) No person shall cause a vehicle to make a U-Turn at the intersection designated as “NO U-TURN intersections as listed in APPENDIX 3. This shall apply to all traffic approaching and facing a “No U-Turn” sign erected and maintained in accordance with the provisions of section 4(c)

j) **WEIGHT RESTRICTIONS – TRUCK ROUTE**

- 1) No person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 5.5T. Except on a highway within the municipality designated as a “Heavy Vehicle Route” as listed in APPENDIX 12.
- 2) Subject to subsection (1), no person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 35 tonnes on any highway within the municipality. Tonne = 1000kg
- 3) Subsections (1) and (2) shall not apply to vehicles making delivery on a 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 in APPENDIX 12.
- 4) The provisions of **The Police Act**, and **The Highways Act** shall apply to the operators of vehicles referred to in subsections (1) and (2).
- 5) During the period of January 1<sup>st</sup> to December 31<sup>st</sup> of each year, a road ban will be put into effect by the Council of the Town of Marshall, restricting the weight of the vehicles to 75% during that period. This applies to Railway Ave West from Main Street to Highway 688. See Appendix 12

k) **VEHICLES ON PUBLIC RESERVES, ETC.**

- 1) No person may operate or park a vehicle on any areas designated as Public Reserve.
- 2) The provisions of subsection (1) shall not apply to maintenance vehicles or to vehicles using a designated parking area.

l) **BICYCLES**

1. No person shall operate a bicycle without having at least one hand on the handlebar.
2. No person shall operate a bicycle on a sidewalk.

m) **ONE WAY HIGHWAY**

- 1) Except as otherwise provided herein a person may operate a vehicle in either direction on all highways within the municipality.
- 2) No person shall operate a vehicle in a direction other than that indicated on the highways as listed in APPENDIX 4 designated as One Way Highways.

n) **LOADING ZONES**

- 1) no person of a vehicle shall remain in a loading zone for a period exceeding two (2) minutes for the purpose of embarking or disembarking passengers, provided that on the expiration of the two minute period the onus of providing the loading and unloading of goods shall rest with the driver of any vehicle found in such loading zone.
- 2) No operator of a vehicle shall remain in the loading zone for periods exceeding ten (10) minutes for the purpose of loading or unloading goods.

o) **JAKE BRAKES – RETARDANT BRAKES**

- 1) No person shall use retardant brakes so as to make excessive noise within the Town limits.

**4) SIGNS**

- a) Council shall cause to be erected and maintained at all stop streets listed in APPENDIX 1, at a distance approximately three (3) meters 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) meters from point of intersection, appropriate “YIELD” sign, so placed to face the traffic approaching the intersection.
- 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) meters 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 listed in APPENDIX 9, 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) Council may by resolution provide for the erection and maintenance on any highway, and at any designated point thereon, of such signs as it may deem expedient for warning, guidance, directions or information thereon.

## 5) PENALTIES

a) Any person who contravenes any of the provisions of subsections 3c(1) and 3c(2) of this bylaw is guilty of an offense or liable on summary conviction to the penalties provided in the General Penalty Bylaw of the Municipality.

b) Any person who contravenes any of the provisions of subsections 3(e)(1), and 3(g) and 3(n)(2) of this bylaw shall be liable on summary conviction to a penalty of:

- |                              |                              |
|------------------------------|------------------------------|
| 1) – Subsection No. 3(e) (1) | \$200.00 plus cost of repair |
| 2) – Subsection No. 3(g)     | \$400.00                     |
| 3) – Subsection No. 3(m) (2) | \$ N/A                       |

c) 1) A person who contravenes any of the provisions of subsection 3(f)(2), 3(f)(3), 3(f)(4), 3(f)(5), 3(f)(6), 3(f)(7), 3(f)(8), 3(f)(9), 3(i)(1), 3(i)(2), 3(j)(1), 3(n)(2) of this bylaw or fails to comply therewith or with any of this bylaw or fails to comply therewith or with any notice or order given thereunder shall be guilty of an offense and upon conviction, shall be liable to penalties as follows:

- |                         |          |
|-------------------------|----------|
| 1) Subsection 3(f) (2)  | \$100.00 |
| 2) Subsection 3(f) (3)  | \$100.00 |
| 3) Subsection 3(f) (4)  | \$100.00 |
| 4) Subsection 3(f) (5)  | \$100.00 |
| 5) Subsection 3(f) (6)  | \$100.00 |
| 6) Subsection 3(f) (7)  | \$100.00 |
| 7) Subsection 3(f) (8)  | \$100.00 |
| 8) Subsection 3(f) (9)  | \$100.00 |
| 9) Subsection 3(i) (1)  | \$100.00 |
| 10) Subsection 3(i) (2) | \$100.00 |
| 11) Subsection 3j (1)   | \$150.00 |
| 12) Subsection 3(k) (1) | \$100.00 |
| 13) Subsection 3(n) (1) | \$100.00 |
| 14) Subsection 3(n) (2) | \$100.00 |

2) A violator of any of the subsections of this bylaw, as set out in subsection (1) upon being served with a Notice of Violation, may, during the regular office hours, voluntarily pay the penalty at the municipal office, and upon payment as so provided, that person shall not be liable to prosecution of the offense.

3) The Notice of Violation shall be in Form “2”, APPENDIX 13, attached to and forming part of this bylaw.

d) 1) A person who contravenes the provisions of subsections 3(k), (1), (2) and (5) is guilty of an offense and liable on summary conviction to a penalty of not less than \$75.00, nor more than \$200.00 for the first offense and not less than \$75.00, nor more than \$300.00 for each subsequent offence.

2) A further penalty shall be imposed as follows:

- i) twenty dollars for each 50 kg or fraction thereof for the first 1,000 kg in excess of the prescribed maximum gross weight allowable and;

ii) twenty dollars for each 50 kg or fraction thereof in excess of 1,000 kg that the actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kg or two per cent of the maximum gross weight fixed by this bylaw, which ever is the lesser, shall not be taken into account.

3) In each instance, the total fine shall not exceed the maximum provided for in the General Penalty Bylaw of the Municipality.

e) The penalty for the contravention of section 3(l)(1) and 3(l)(2) is as follows:

- 1) for the first infraction impounding the bicycle for seven (7) days;
- 2) for the second or additional infractions impounding the bicycle for fourteen (14) days

**6) IMPOUNDING**

- a) Any member of the police force, special constable or other person appointed by council may remove or cause to be removed, any vehicle that is unlawfully placed, left or kept on any street or lane, public parking place, or on municipally-owned property, and to impound or store such vehicle.
- b) Where a vehicle has been impounded or stored after it has been removed under section (1), it may be retained at a place designated by council for a period of thirty (30) days from the date of removal unless the cost of removal, impounding and storage are sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.
- c) If the costs of removal, impounding and storage are not paid within the period of thirty (30) days as specified in subsection (2), the municipality shall have the right to recover same from the owner of the vehicle by:
  - 1) Legal action in a court of competent jurisdiction;
  - 2) sale by public auction on publication of a notice designating the time and place of sale at least 14 days prior to the sale in a newspaper circulating in the municipality and on sending such notice by registered mail to the owner at the address appearing on the last registration of the vehicle.

7) Bylaw 05-2020 is hereby repealed.



  
MAYOR

  
ADMINISTRATOR