

# THE RESORT VILLAGE OF SUNSET COVE

## BYLAW No. 61/2001

### A BYLAW TO REGULATE THE OPERATION OF VEHICLES.

The Council of The Resort Village of Sunset Cove, 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 such curb, the vehicle to be placed at an angle of forty-five (45) degrees with the curb;
- (b) "Clerk" means the clerk/administrator of the municipality;
- (c) "Curb" means the lateral boundaries of the roadway, whether or not marked by curbing;
- (d) "highway" means a road, parkway, driveway, square or place designated and intended for use by or used by the general public for the passage of vehicles, but does not include any areas, 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 Highways and Transportation Act;
- (f) "municipality" means The Resort Village of Sunset Cove;
- (g) "parallel parking" means the parking of a vehicle with both right wheels drawn up to the curb on the right-hand side of the highway, or at a distance of not more than thirty (30) centimetres from such curb;
- (h) "park", "parking", have the meanings ascribed thereto by The Highway Traffic, 1997 Act;
- (i) "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;
- (j) "special constable" means the Royal Canadian Mounted Police or a person appointed to enforce municipal bylaws;
- (k) "speed zone" means any portion of a highway within The Resort Village of Sunset Cove, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (l) "vehicle" means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to it by The Highway Traffic Act, 1997:

## THE RESORT VILLAGE OF SUNSET COVE

### 2. INFRACTIONS

#### (a) 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.

#### (b) 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 in any street so as to obstruct the entrance to any lane or driveway or approach leading to private premises;  
  
(ii) notwithstanding the provisions of subsection (1), a vehicle may be parked in a 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 a time, unless written permission has been first obtained from clerk or special constable of the municipality for an extension of such time limit.
- (3) every person parking a vehicle upon a highway within the municipality where parking is permitted shall parallel park same.
- (4) No person shall park a vehicle within five (5) metres of any street intersection.
- (5) No person shall park any vehicle in any private parking place or on 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.

#### (c) POWER TURN

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

# THE RESORT VILLAGE OF SUNSET COVE

## (d) SPEED

No person shall operate a vehicle in the municipality at a speed greater than thirty (30) km/h.

## (e) VEHICLES ON PUBLIC RESERVES, ETC.

No person operate or park a vehicle on any of the following areas:

- (1) The Tennis Court - Lot 5, Block A, Plan 94R46848;
- (2) The provision of subsection (1) shall not apply to maintenance vehicles.

## 3. SIGNS

Council may by resolution provide for the erection and maintenance on any highway, and at any designated point or points thereon of any such signs as it may deem expedient for warning, guidance directions or information thereon.

## 4. PENALTIES

(a) Any person who contravenes any of the provisions of subsections 2 (a) (1) and 2 (a) (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 the provision of subsection 2 (d) of this bylaw is guilty of an offense or liable on summary conviction to a penalty of \$ 50.00.

(c) (1) A person who contravenes any of the provisions of sub-sections 2 (c) (2), 2 (c)(3), 2(c) (4), 2(c) (5), and 2(g)(1) of this bylaw or fails to comply therewith or of any notice or order given thereunder shall be guilty of an offense and upon conviction, shall be liable to penalties as follows:

(1) Subsection 2(c) (2)	\$ 20.00
(2) Subsection 2 (c)(3)	\$ 20.00
(3) Subsection 2 (c)(4)	\$ 25.00
(4) Subsection 2 (c)(5)	\$ 50.00
(6) Subsection 2 (f)(1)	\$ 50.00

(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 1**, attached to and forming part of this bylaw.

# THE RESORT VILLAGE OF SUNSET COVE

## 5. 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 other public 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 subsection (1), it may be retained at a place designated by council for a period of thirty (30) days from 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 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 upon 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 in the last registration of the vehicle.

## 6. REPEAL PREVIOUS BYLAW

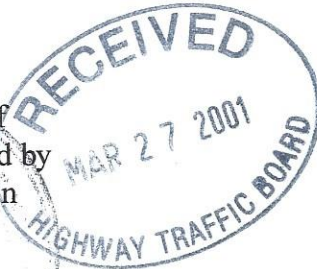
Bylaw No. 10, 1983 and Bylaw No. 60, 2000 are hereby repealed.

\_\_\_\_ Signed "Gerry Argue" \_\_\_\_\_  
Mayor

\_\_\_\_ Signed "Peter A. Quiring" \_\_\_\_\_  
Administrator

A certified true copy of  
Bylaw 61/2001 adopted by  
resolution of Council on  
March 21, 2001

  
\_\_\_\_\_  
Administrator



Form 2  
Appendix 1 of Bylaw 61/2001

NOTICE OF VIOLATION  
[Section 4 (c) (3)]

The Resort Village of Sunset Cove

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

POSTAL CODE: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at/near  
\_\_\_\_\_, Saskatchewan at \_\_\_\_\_ A.M./P.M.

Did unlawfully commit the following offense:  
("X" indicates offense charged)

- Parking Bylaw No. \_\_\_\_\_  
 Dog Bylaw No. \_\_\_\_\_  
 Other Bylaw No. \_\_\_\_\_

DESCRIPTION OF OFFENSE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LOCATION OF OFFENSE: \_\_\_\_\_  
\_\_\_\_\_

You are charged with violation of Bylaw No. \_\_\_\_\_  
Section(s) \_\_\_\_\_

The Penalty for the above violation: \_\_\_\_\_

\_\_\_\_ may be paid voluntarily  
\_\_\_\_ may not be paid voluntarily

\_\_\_\_\_  
Special Constable

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is \$ \_\_\_\_\_ or less, you may make voluntary payment of the penalty at the municipal office of the Resort Village of Sunset Cove during regular office hours or by mail within \_\_\_\_\_ days from the date of service of this Notice Of Violation.

If you do not make a voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction, you shall be liable to the penalty provided under section \_\_\_\_\_ of the said Bylaw.