

BYLAW NO. 96-2021
Resort Village of Sunset Cove

A BYLAW OF THE RESORT VILLAGE OF SUNSET COVE
TO CONTROL TRAFFIC

WHEREAS, pursuant to subsection 8(1) of The Municipalities Act, a municipality is authorized to make bylaws respecting peace, order and good government of the municipality and the safety, health and welfare of people and the protection of people and property; and

WHEREAS it is necessary and advisable to control and regulate traffic in the municipality.

NOW THEREFORE the Council of the Resort Village of Sunset Cove, in the Province of Saskatchewan, enacts as follows:

Short title:

This bylaw shall be referred to as the Traffic Bylaw.

1. DEFINITIONS

In this Bylaw:

- a) "Motor vehicle" means "motor vehicle" as defined in The Traffic Safety Act;
- b) "Vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway
- c) "Trailer" has the same meaning as defined in the Traffic Safety Act
- d) "Parking" has the meaning as defined in The Traffic Safety Act
- e) "Municipal Reserve" as ascribed by The Planning and Development Act 2007
- f) "Municipality" means the Resort Village of Sunset Cove,
- g) "Clerk" means the clerk/administrator of the municipality

- h) "Highway" means a road, parkway, driveway, square or place designed and intended for 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 as ascribed by The Traffic Safety Act,
- i) "Premise" means the area contained within the boundaries of any lot and includes any building situated on the lot,
- j) "Council" means the council of the Resort Village of Sunset Cove.
- k) "Violation Ticket" shall mean a ticket issued for an offense committed against any provision of this Bylaw.
- l) "Emergency" in this bylaw means a situation where work must be carried out to preserve, protect or repair property that is in imminent danger to the health or safety of any person, or that likely will fall into immediate disrepair or collapse without immediate work.

2. VEHICLE OPERATION

- (a) The provisions of the Traffic Safety Act shall apply to the operation of Vehicles within the municipality.
- (b) Except for an emergency vehicle, no person shall operate a vehicle within the municipality at a speed greater than fifteen (15) km/hr.
- (c) A person operating a vehicle in an unsafe manner or in excess of the maximum posted speed limit within the municipality is in violation of this bylaw.
- (d) A vehicle may not be operated or parked on municipal property where signage is posted prohibiting this.
- (e) No person shall operate a vehicle within the municipality in a manner and for extended number of trips or periods of time so as to be a nuisance to property owners and guests affected by such operation.

3. SIGNS

- a) 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.
- b) No person shall deface, damage, destroy or remove any sign, marker or object erected pursuant to this Bylaw.
- c) Council may by resolution cause speed control bumps to be installed within the municipality.

4. PARKING

- (a) The municipality shall determine by resolution where parking within the municipality and within the Municipal Reserve is allowed.
- (b) Prohibited parking areas will be identified by signage.
- (c) Vehicles shall not be parked in a manner to either block or to hinder the safe passage of vehicles within the municipality.
- (d) No person shall park a vehicle on any street so as to obstruct the entrance to a driveway or approach leading to private premises.
- (e) No person shall park a vehicle in a “No Parking” area as designated by signs erected and maintained by the municipality.
- (f) No person shall park a vehicle or trailer, on any Municipal Reserve for a period of time exceeding forty-eight (48) hours.
- (g) The municipality may take whatever actions necessary to remedy a contravention to this bylaw including ticketing and/or towing of vehicles.

4.1 MISCELLANEOUS ETC.

- (a) No person shall operate or park a vehicle on any of the following areas:
 - a. The Tennis Court – Lot 5, Block A, Plan 94R46848

- b. Garbage or recycling bin locations except to dump garbage or recycling.
- (b) No person shall park a trailer along side the highway for longer than 48 hours.
- (c) No person shall place any item along side the highway (e.g. water tanks, stands, signs, building or construction material, etc.) that may pose a hazard to traffic.
- (d) It is illegal to block traffic on Mountain Drive, with the exceptions noted in Part 5 “Exceptions”. All delivery, repair, and service vehicles must be positioned in a manner to permit traffic to freely pass by.
- (e) It is illegal to trench, excavate, tunnel or in any way damage highways within the municipality without receiving the expressed written consent of council.

5. EXCEPTIONS

This Bylaw does not apply to:

- a) the operators of fire engines or fire department apparatus or to vehicles being operated by law enforcement officers or to the operators of ambulances.
- b) municipal equipment or vehicles hired or engaged in normal or essential public service operations.
- c) the use of any equipment for the repair or maintenance of any public utilities, including the public utilities operated by SaskPower, SaskEnergy, SaskTel or the municipality.

6. CONTRAVENTION:

When the Traffic Bylaw is contravened, any person in charge or control of the vehicle, or in charge or care of the property where the infraction occurred, or the property owner(s) where the infraction occurred, shall be subject to the fines established within this bylaw.

7. VIOLATION TICKET:

Where a member of Council has reasonable grounds to believe that a person has committed a breach of any of the provisions of this Bylaw, they may have a Bylaw Officer of the Municipality or a member of the Royal Canadian Mounted Police, issue and serve such a person a Violation Ticket. A member of the RCMP can issue a violation ticket on their own accord if they are in attendance and deem the person to be in violation of this bylaw.

8. PENALTIES

Any person who fails to comply with any aspect of the Bylaw is guilty:

- a) of an offense and is liable to a fine of \$200.00 for any moving violation
- b) of an offense and is liable to a fine of \$50.00 for any stationary violation.

9. PAYMENT

- a) The payment of a fine for any offence under this bylaw is in default when all or any part of the fine is due and unpaid after 14 days of being issued.
- b) If all or part of a fine for an offence is in default, the person to whom the ticket was issued shall continue to be liable to pay the fine imposed, and in addition, is liable to pay a late payment administration charge in the amount of \$100.00.
- c) Any person who fails to comply with any Part, Section or Subsection of this Bylaw shall also be liable for any cost of the Municipality for any services or activities provided towards respecting this Bylaw as a result of that person's contravention of this Bylaw. This includes all towing, storage and dispersal costs associated to vehicles in violation of this bylaw.

10. SEVERABILITY

If a Court of competent jurisdiction should declare any part or section of this bylaw to be invalid, such section or part of the section shall not be construed as having persuaded or influenced Council to pass the remainder of the bylaw and it is hereby declared that the remainder of the bylaw shall be valid and shall remain in force and effect.

11. REPEAL CLAUSE

Bylaw 61-2001-Regulate the Operation of Vehicles is hereby repealed.

DRAFT

Coming into force

This bylaw comes into force on the day on which it is passed. Read a third time and adopted this _____ day of _____, 2021.

Mayor

Administrator

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