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**TOWN OF HEPBURN**  
**BYLAW NO 49-2017**  
**TRAFFIC BYLAW**  
**A BYLAW TO REGULATE THE OPERATION & PARKING OF VEHICLES AND THE USE OF THE**  
**HIGHWAYS**

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

**PART I – 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 Hepburn.
3. **Definitions**
  - (1) In This Bylaw:
    - (a) “angle parking means” 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 for the Town of Hepburn;
    - (c) “all terrain vehicle” and/or “ATV” means all terrain vehicle 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 from buses;
  - (g) “CAO” means the Chief Administrative Officer of the Town of Hepburn;
  - (h) “council” means the council of the Town of Hepburn;
  - (i) “curb” means the dividing line of the street between that part of the street intended for use of vehicles and that intended for pedestrians whether marked with a curbstone or not;
  - (j) “designated officer” means the CAO, Royal Canadian Mounted Police, Sheriff, Bylaw Enforcement Officer, or any other person appointed to enforce municipal bylaws;
  - (k) “disabled person’s parking area” means all that portion of any street or other public place or shopping centre parking lot that has been designated by sign or other marking for the exclusive parking of disabled persons vehicles;
  - (l) “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;
  - (m) “double parking” means the parking of a vehicle, while 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 to the curb in an area that is designated for angle parking;
  - (n) “driver” means any person who drives or operates or is in charge of a vehicle on a public highway and includes an operator;
  - (o) “fire lane” means that area designated by signs or markings as a fire lane;
  - (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) “justice” means a justice of the peace as per *The Interpretation Act, 1995*;
- (r) “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;
- (s) “marking” means any pavement marking installed on the street for the guidance, regulation, warning, direction or prohibition of traffic;
- (t) “municipality” means the Town of Hepburn;
- (u) “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;
- (v) “parade” means any procession or body of pedestrians, 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;
- (w) “parking” has the meaning ascribed thereto by *The Traffic Safety Act*;
- (x) “parking area” means any portion of a street or surfaced or unsurfaced area indicated by signs or markings as a place for parking;
- (y) “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;

- (z) “pedestrian” means any person afoot and shall include a baby carriage or a disabled person’s chair;
- (aa) “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;
- (bb) “person” includes a corporation or a partnership and the heirs, executives, administrators or other legal representatives of a person;
- (cc) “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.
- (dd) “police officer or police constable” means any member of the Royal Canadian Mounted Police responsible for the policing of the Town of Hepburn or any person specifically appointed by the Town of Hepburn to be a Police Officer or Constable;
- (ee) “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;
- (ff) “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 trailer;
  - (ii) cabin trailer;

- (iii) tent trailer;
  - (iv) truck camper;
  - (v) motorhome;
  - (vi) park trailer;
  - (vii) fifth-wheel travel trailer; and
  - (viii) boat trailer.
- (gg) "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;
- (hh) "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.
- (ii) "sidewalk" means that portion of the right-of-way designed and intended for or used by pedestrians;
- (jj) "sidewalk crossing" means that portion of a sidewalk permanently improved or designed for the passage of vehicular traffic;
- (kk) "stopping" means:
- (i) when required, a complete cessation from movement; and
  - (ii) 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 peace officer or a traffic-control signal;
- (ll) "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;
- (mm) "tire width" means the width indicated on the tire by the manufacturer;

- (nn) "town" means the Town of Hepburn, in the Province of Saskatchewan;
  - (oo) "town foreman" means the Public Works Foreman for the Town of Hepburn;
  - (pp) "traffic" means the movement of pedestrians, vehicles, or livestock upon any public highways in the Town;
  - (qq) "traffic hazard" means any structure (excepting a building or structure) or object that obstructs, hinders, or impairs the ability of an operator to see another vehicle approaching on the same street or an intersecting street or to see a pedestrian at a crosswalk or in the street;
  - (rr) "traffic sign" means any sign or marking or installed for the guidance, regulation, warning, direction or prohibition of traffic;
  - (ss) "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;
  - (tt) "vehicle" means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*;
  - (uu) "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) Maximum Speeds: highways listed in Appendix 1;
- (b) No U-turns;
- (c) School Crosswalks: highways listed in Appendix 2;
- (d) Stop Streets: highways listed in Appendix 3;
- (e) Yield Streets: highways listed in Appendix 4;
- (f) Heavy Vehicle Route: highways listed in Appendix 5;
- (g) No Parking Signs: signs listed in Appendix 6;
- (h) Angle Parking: highways listed in Appendix 7;
- (h) Lug Vehicle Permit: Form 1 located in Appendix 8;

## **PART II – Resolutions, Signs, Etc.**

### **5. Emergency Control Measures**

- (1) 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 deemed 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 CAO, Town Foreman, 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 CAO, 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 not restricted to the snow removal, cleaning, repairing or maintenance on such public highway.
- (d) (i) Subject to Section 8 of this Bylaw the CAO, RCMP, and/or the Town Forman 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.

- (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 CAO or 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, barricade or indicated by notice or sign as being closed under the authority of the CAO, RCMP, or the Town Foreman.
- (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, CAO, RCMP, or the Town Foreman under the provisions of the Bylaw.

**10. Use of Signs Forbidden**

No person unless authorized by the Council, the CAO, the RCMP, 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 bylaw enforcement officer that a hedge, shrub or tree situated at an intersection is dangerous to traffic, 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 danger.

### **PART III – Pedestrians**

#### **13. Parades**

- (1) No parade shall be held in the Town without the written permission first had and 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 CAO 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. 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 in the Town of Hepburn.

## **15. Push Carts and Animals**

Every person propelling any push cart or riding an animal upon any public highway, and every person driving any animal upon a public highway, shall be subject to the provisions of this Bylaw applicable to the operator of any vehicle, except those provisions of this bylaw with reference to the equipment of vehicles, and except those provisions which by their very nature can have no application.

## **16. Skateboards, Longboards, Rollerblades and other means of conveyance**

- (1) No person skateboarding, longboarding, or rollerblading shall do so in a manner that causes damage to a street, sidewalk, or other public place designed and intended for to be used by pedestrians;
- (2) Any person skateboarding, longboarding, or rollerblading on a sidewalk shall yield to pedestrians.

## **PART IV – Bicycles**

17. No person shall ride a bicycle or drive a motorcycle upon any sidewalk or boulevard in the Town except that bicycles may be ridden upon any pathways provided for bicycle traffic where signs are erected to authorize such traffic.
18. No person shall ride a bicycle on a street recklessly or negligently or at a speed or in a manner dangerous to the rider or to the public. Bicycle riders shall at all times operate their bicycle with due care and attention to the nature and condition of the street and the traffic thereon and no such rider shall engage in any acrobatic feats or any fancy riding on any street.
19. No person shall ride a bicycle on a street on the left side of any other two persons riding bicycles abreast on that street except for the purpose of passing.
20. 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 Part IV and may impound said bicycle or motorized wheeled vehicle for a period not exceeding fourteen (14) days.

## **PART V – Stopping and Parking**

### **21. Loading Zone**

- (1) No operator of a vehicle shall remain in a loading zone for a period of 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 goods 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.

### **22. Temporary Prohibition of Parking**

No person shall park a vehicle on any public highway or portion thereof on which parking has been temporarily prohibited by the CAO, Royal Canadian Mounted Police, Town Foreman, or the Bylaw Enforcement Officer under the provisions of Section 6 of this bylaw.

### **23. Obstructing Traffic**

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

### **24. Deliveries in Lane or Alley**

Wherever access can be had to an alley or from their own property,

persons making deliveries or collections of commodities to or from stores, restaurants, hotels and commercial buildings, shall make them therein.

**25. Leaving Stationary Position**

The operator of a vehicle when turning out from a stationary or driving position or entering the flow of traffic at the side of a public highway or from the curb shall yield the right-of-way to all traffic.

**26. 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 right hand curb.

**27. 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 by signs and/or markings and/or headers, every person shall park a vehicle only in accordance with such signs and/or markings and/or headers 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.

### **28. Stopping Prohibited in Specified Places**

No operator of a vehicle shall stop or park 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 sidewalk or boulevard, or area set aside for municipal use;
- (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.

### **29. Parking Except as Otherwise Provided in This Bylaw or as Otherwise Provided in any Other Bylaw Passed by Council Either 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 28;
- (4) on all streets or portion thereof as set out in Appendix 6 attached and forming part of this Bylaw, established as streets or portions thereof on

which no vehicle shall be parked at any time, and the erection of the appropriate signs by the Town Foreman 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 Town Foreman, or Town Council, shall paint or permit any curb to be so painted;
- (6) in any private parking place or on any private property of which he is not the owner, occupant, licensee, or permittee, except with the consent of the owner, occupant, licensee or permittee;
- (7) 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;
- (8) within three (3) meters of the entrance of any alley or lane on all streets where parallel parking is permitted;
- (9) within three (3) meters of a fire hydrant measured parallel to the curb;
- (10) within six (6) meters on either side of any sidewalk crossing;
- (11) within six (6) meters of block corners at intersections on streets where parallel parking is permitted;
- (12) that has a greater manufacturer's rated carrying capacity of more than one (1) ton on any highway.

### **30. Trailer or Semi-Trailer Parked**

- (1) No person shall leave a trailer or semi-trailer parked on a highway that 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 Hepburn 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) No person shall park a trailer or semi-trailer on a boulevard or the area set aside for a boulevard.
- (4) Heavy Vehicles shall be allowed to park at the west end of Main Street along railway Street.
- (5) Subsection (2) does not apply to semi-trailers or recreational vehicles.

### **31. Parking of Recreational Vehicles**

- (1) An owner or operator of a recreational vehicle shall not park the recreational vehicle on any highway in the Town of Hepburn for more than thirty-six (36) 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) No owner or operator of a recreational vehicle shall park the recreational vehicle on a boulevard or an area set aside for a boulevard.
- (4) Any recreational vehicle parked on a highway pursuant to this section shall display a current license plate.

### **32. Parking of Unlicensed Vehicles**

Any unregistered and/ or uninsured vehicle parked on any street or boulevard may be seized, removed and impounded at the expense of the owner thereof.

### **33. Parking Area**

In parking areas set aside for the parking of vehicles by resolution of Council, no person shall:

- (1) park a vehicle for more than twenty-four (24) hours at any one time;

- (2) 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;
- (3) 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.

#### **34. Maximum Parking – 48 Hours**

Any vehicle parked for an uninterrupted period of time in excess of forty-eight (48) hours on any street or boulevard may be seized, removed and impounded at the expense of the owner thereof.

#### **35. 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 was marked.

#### **36. Parking Vehicles Exceeding 7 Meters in Length**

No person driving a vehicle, combination of vehicles, or other vehicles in excess of 7 meters in length shall park on any highway in the Town of Hepburn.

#### **37. 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.

## **PART VI – Speed and Rules of the Road**

### **38. Excessive Acceleration**

- (1) No person driving a vehicle upon a parking lot, park, school ground, or a public highway shall accelerate the vehicle to such an extent so as to cause the tires to slice, spin, or throw gravel or other substances.
- (2) This Bylaw shall not apply to any Police Officer or Bylaw Enforcement Officer while engaged in the performance of his duties, or to any other emergency vehicle in the performance of duty.
- (3) In a prosecution for a violation of this Section the onus of proof shall be on the accused.

### **39. Entering an Intersection**

- (1) No person driving a vehicle shall knowingly enter an intersection unless there is sufficient space on the other side of the intersection to accommodate the vehicle without obstructing the passage of pedestrians or other cross traffic.
- (2) Subsection (1) shall not apply to any highway intersection where a Police Officer is on duty or to a vehicle in the intersection making a left-hand turn where a traffic light signal is in operation.

### **40. Speed Limit**

- (1) A person shall not drive any vehicle on a street at a speed greater than the speed permitted in Appendix 1.
- (2) Notwithstanding Subsection (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.

**41. Towing**

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

**42. No Splashing of Pedestrians**

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

**43. U - Turns**

- (1) "U – Turn" means the turning of a vehicle so as to proceed in the opposite direction.
- (2) No person shall cause a vehicle to make a "U – Turn" between intersections, and at the intersection of a highway with a lane or alley in the Town of Hepburn.

**44. 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 (1) shall not apply to employees of the Town who are in execution of their duties.

**45. School Crosswalks**

School Crosswalks are hereby established at the streets set out in Appendix 2, 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.

#### **46. 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 3 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.

#### **47. 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 4 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 – Vehicle Routes, Weights and Regulations**

### **48. Heavy Vehicle Route**

- (1) For the purpose of this section and with all Provincial Highways exempted, “heavy vehicle” shall mean a motor vehicle with or without a load which along or together with any trailer, semi-trailer or other vehicle being towed weighs 5,500 kilograms or more or a motor vehicle which together with trailer, semi-trailer or other vehicle being towed exceeds eleven (11) meters in total length.
- (2) No person shall drive a heavy vehicle on any street or portion of a street except those set out in Appendix 5 attached hereto and forming part of this Bylaw and prohibitions against so driving are hereby established upon the streets or portions thereof except those set out in said Appendix 5. The streets or portions thereof as set out in Appendix 5 are hereby established as heavy vehicles routes;
  - (a) provided that this subsection shall not apply to any persons operating a heavy vehicle for the Town or owned by the Town while actually in use in the service of the Town; and
  - (b) that this subsection 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.
- (3) The person designated to enforce bylaws in the Town may weigh a vehicle thought to be over the maximum gross vehicle weight and/ or load or the gross weight on an axle or wheel by means of a portable or stationary weigh scale and may require the operator of the vehicle to take the vehicle and its load to the nearest scale. The officer may require the operator of the vehicle to immediately unload the cargo to reduce the vehicle weight as necessary.

#### **49. 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 CAO, a permit in writing authorizing same.
- (2) The CAO is hereby authorized to issue permits in writing for the purpose of this Section, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 8 provided that the CAO shall not issue any such permit unless 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 (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**

##### **50. 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.

##### **51. 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.

## **52. Seizure, Removal, and Impounding of Vehicles**

- (1) In addition to and notwithstanding any provisions contained within Part VIII hereof, 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, municipal property or other public place;
  - (b) is unlawfully parked pursuant to Section 29 when requested 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 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; or
  - (c) by private sale 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 (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**

### **53. 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 \$100.00 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 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.

**54. Voluntary Payment - \$100**

Notwithstanding the provisions of Section 53 to the contrary, any person who has committed or is alleged to have committed an offense under the following sections of this bylaw may pay a voluntary penalty of \$100.00:

<b>Section</b>	<b>Offense</b>
16.....	Skateboards
17.....	Riding on Sidewalk or Boulevard
18.....	Reckless Riding
19.....	Riding Abreast
20.....	Unlicensed Motorized 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 \$20.00.

**55. Voluntary Payment \$200.00**

Notwithstanding the provisions of Section 53 to the contrary, any person who has committed an offense under the following sections of this bylaw may pay a voluntary penalty of \$200.00:

<b>Section</b>	<b>Offense</b>
5.....	Emergency Control Measures
6.....	Temporary Closing and Parking
7.....	Streets Prohibited to Traffic
9.....	Damaging Signs
12.....	Site Line restrictions

- 13.....Interfering With Parade
- 21.....Loading Zone
- 22.....Temporary Prohibition of Parking
- 23.....Obstructing Traffic
- 26.....Stopping at Curb
- 27.....Parking at Curb
- 28.....Stopping Prohibited in Specific Places
- 29.....Parking
- 30.....Parking Unattached Trailer or Semi-Trailer
- 31.....Parking of Recreational Vehicles
- 32.....Parking Unlicensed Vehicle
- 33.....Parking Areas
- 34.....Parking Over 48 Hours
- 36.....Vehicle Exceeding 7 Metres in Residential Areas
- 37.....Parking in Handicapped Area
- 39.....Entering an Intersection
- 43.....U Turns
- 44.....Driving on Parks and Playgrounds
- 46, 47.....Disobedience to Traffic Sign
- 48.....Heavy Vehicle Route

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.

**56. Voluntary Payment \$500.00**

Notwithstanding the provisions of Section 53 to the contrary, any person who has committed or is alleged to have committed an offense under the following sections of this bylaw may pay a voluntary penalty of \$500.00:

- | <b>Section</b> | <b>Offense</b>     |
|----------------|--------------------|
| 10.....        | Unauthorized Signs |

- 14.....Unauthorized Use of Streets For Business
- 15.....Push Carts and Animals
- 24.....Deliveries in Lanes
- 25.....Leaving Stationary Position
- 42.....Splashing of Pedestrians
- 45.....School Crosswalks
- 49.....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 \$200.00.

**PART X – Payment of Fees**

**57. 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 Part IX hereof, a ticket or notice in a form to be approved by the non-commissioned officer in charge of the local Royal Canadian Mounted Police detachment may be served on such person by a member of the Royal Canadian Mounted Police, Bylaw Enforcement Officer, or any person duly authorized by the council. Such person served with a ticket or notice may pay same at the Hepburn Municipal Office between the hours of 9:00 a.m. and 5:00 p.m., excepting Saturdays, Sundays, and public holidays, in lawful money of Canada in an amount equal to the fine fixed in the said Part IX, provided that payment must be made within a period of seven 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.
- (b) Service of such ticket or notice may be made by attaching the ticket or notice to the vehicle in respect of which an offense has been committed or by registered mail of such ticket or notice addressed to the person who has committed the offense.
- (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 offense 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 offenses.

**PART XI – Repeal and Coming into Force**

**58. Repeal**

Bylaw No.s 35-81, 135-01, 141-02, 209-12, 14-2013, and 30-2015 and amendments thereto are hereby repealed.

**59. Coming into Force**

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

\_\_\_\_\_  
Mayor

[SEAL]

\_\_\_\_\_  
Administrator

Read a third time and adopted  
this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Administrator

## **Appendix 1**

### **Maximum Speeds**

#### **1. 20km/h:**

- (a) in any parking area;
- (b) in any alley.

#### **2. 30km/h:**

- (a) in any posted school or playground speed zone.

#### **3. 40km/h:**

- (a) on all roadways in the Town not previously provided for.

## **Appendix 2**

### **School Crosswalks**

Crossing 2<sup>nd</sup> Street East on the north side of Main Street

Crossing Main Street at civic address 211 Main Street within the marked and painted area

**Appendix 3**  
**Stop Streets**

AT THE INTERSECTION OF:	APPROACHING FROM THE:
Second Avenue South and Third Street East	North, East and West
Second Avenue South and Third Street West	North, South, East and West
Second Avenue South and First Street East	South
Second Avenue South and Second Street East	South
Second Avenue South and First Street West	South
Third Street West and Doerksen Street	North, South and East
West Railway Street and Second Avenue South	North
Railway Street and Main Street	East
First Street East and First Avenue North	North
First Street East and Main Street	North and South
Second Street East and Second Avenue South	North
Second Street East and Main Street	North, South, East and West
Second Avenue North and Range Rd. 3060	West
First Avenue South and Third Street East	East and West
First Avenue South and Range Rd. 3060	West
Main Street and Range Rd. 3060	West
Main Street and Third Street East	South
Third Avenue South and Prairie View Drive	South
Third Avenue South and Range Rd. 3060	West

## APPENDIX 4

### Yield Streets

AT THE INTERSECTION OF:	APPROACHING FROM THE:
Heritage Place and West Railway Street	West
Doerksen Street and West Railway Street	West
Heritage Street and West Railway Street	East
Heritage Street and Railway Street	West
West Railway Street and Second Avenue South	North
Railway Street and Second Avenue South	North
Railway Street and First Avenue South	East
Railway Street and First Avenue North	East
Railway Street and Albert Place	East
Railway Street and Poplar Place	West
Railway Street and Crocus Court	West
Railway Street and Willow Place	West
First Street East and First Avenue North	South
First Street East and First Avenue South	North
Second Street East and First Avenue South	East and West
Second Street East and First Avenue North	East and West
Second Street East and Second Avenue North	South
Third Avenue South and First Street West	East
Third Avenue South and First Street East	North and South

## **APPENDIX 5**

### **Heavy Vehicle Route**

- 1.) On Third Avenue North
- 2.) On Railway Street
- 3.) On Second Avenue South

## **APPENDIX 6**

### **No Parking Signs**

- 1.) During regular school days between 8:00 and 15:30 on the East side of Second Street East between Main Street and First Avenue North.
- 2.) No Semi Truck/ Trailer Parking in the Arena Parking Lot

## **APPENDIX 7**

### **Angle Parking**

- 1.) On Main Street between Railway Street and Second Street East.
- 2.) On the north side of Main Street, east of Second Street East up to the east edge of 213 Main Street in accordance with posted signage.

**APPENDIX 8**

**Form 1**

**PERMIT FOR OPERATION OF LUG VEHICLE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Vehicle: \_\_\_\_\_

Route: \_\_\_\_\_

Deposit: \_\_\_\_\_

I declare that:

- 1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.
  
- 2) I will, when operating such lug vehicle over any bridge or culvert on any highway or on any specified bridge or culvert thereon, first lay down on such bridge or culvert planks or timbers of not less than five (5) centimeters (cm) in thickness and should extend a minimum of 300 millimeters (mm) wider on each side than the maximum outside width of the lugs; such planks or timbers to be laid lengthwise across the bridge or culvert in the direction in which the lug vehicle is proceeding in such a manner that they will support the wheels or tread of the vehicle on both sides thereof throughout its entire passage over such bridge or culvert.
  
- 3) I will pay for all damages caused to such highway or to any bridge or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.
  
- 4) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.
  
- 5) I understand that all municipal bridges have secondary weight limitations unless posted otherwise and I will ensure that I comply with any and all weight restrictions.

\_\_\_\_\_  
Owner/Operator

\_\_\_\_\_  
CAO

\_\_\_\_\_  
Date