

TOWN OF ABERDEEN

BYLAW 01/19

A BYLAW OF THE TOWN OF ABERDEEN, IN THE PROVINCE OF SASKATCHEWAN, TO REGULATE THE OPERATION AND THE PARKING OF VEHICLES AND THE USE OF THE PUBLIC HIGHWAYS

The Council of the Town of Aberdeen, 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) “curb” means the lateral boundaries of a roadway, whether or not marked by curbing;
- (c) “highway” means any street or public highway within the municipality, but does not include a provincial highway therein as designated pursuant to the provisions of the Highways Act;
- (d) “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;
- (e) “park”, “parking” has the same meanings ascribed thereto by The Vehicles Act;
- (f) “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;
- (g) “vehicle” has the meaning ascribed to it by the Vehicles Act;
- (h) “speed zone” means any portion of a highway within the Town of Aberdeen, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (i) “heavy vehicle” means a vehicle which is over the weight of Three hundred and fifty (350) pounds per inch width of tire;

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(j) “place of public assembly” means schools, theatres, churches, hockey and skating rinks, dance halls and public assembly halls;

(k) “clerk” means the administrator or clerk of a town or village;

(l) “lug vehicle” means any truck, 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; and

(m) “power turn” means to maneuver a vehicle in such a manner to cause the rear of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking.

(n) “recreational vehicle” means a self-propelled or towed vehicular type unit, primarily designed as a 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 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; and
- (vii) fifth-wheel travel trailer

(o) “trailer” means a trailer as defined in *The Traffic Safety Act*

2. Scope:

(a) “STOP” Streets:

The streets and avenues as listed in Appendix 1 are designated as “Stop” streets.

(b) “YIELD” Streets:

The streets and avenues as listed in Appendix 2 are designated as “Yield” streets.

(c) “NO U-TURN Intersections:

The intersections of streets and avenues, approached from all four (4) directions as listed in Appendix 3 are designated as “No U-Turn” intersections.

3. Infractions:

(a) “STOP” Streets:

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

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(b) "YIELD" Streets:

The provisions of the Vehicles 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) Lug Vehicles:

(1) No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first having obtained of the Clerk, a permit in writing authorizing same.

(2) The Clerk is hereby authorized to issue permits in writing for the purpose of section d(1) of this bylaw in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 5. Provided that the Clerk shall 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 damage resulting thereto or to any bridge or culvert thereon.

(3) Nothing contained in section d(1) shall be deemed to preclude the transport of a lug vehicle as herein defined or any highway where same is being carried by means of a rubber tired trailer or other conveyance equipped with rubber tires.

(e) Parking:

(1) Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.

(2) (a) subject to the provisions of subsection (b) no person shall park a vehicle in any lane, nor in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises;

(b) notwithstanding the provisions of subsection (a) a farm truck or commercial vehicle may be parked in any lane for the purpose of taking on or discharging cargo, providing no such truck or vehicle shall be so parked for a period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the clerk or a police officer of the municipality for an extension of such time limit.

(3) (a) subject to subsection (b), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park same;

(b) every person parking a vehicle upon the highways listed in Appendix 6 shall angle park same.

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- (4) No person shall park a vehicle in any "No Parking" area as designated in Appendix 7 at any time whether such areas are marked on the curb or otherwise erected or mentioned in accordance with provisions of section 4(d) to indicate that parking therein is prohibited.
- (5) No person shall park a vehicle within five (5) meters of any street intersection or fire hydrant.
- (6) No person shall park a vehicle on any highway at one place for a period of time exceeding thirty-six (36) consecutive hours.
- (7) 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.
- (8) (a) subject to subsection (b), no person shall park any commercial vehicle designed 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;

(b) nothing in subsection (a) 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.
- (9) (a) no person shall park or leave parked a recreation vehicle on a residential street in the Town of Aberdeen for more than seventy two (72) 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 residential street.

(b) the owner of a recreational vehicle which is detached from the vehicle used for moving the same shall block one front tire and one back tire, both located on the same side of the recreational vehicle, with devices sufficient to prevent unattended movement of the recreational vehicle and such devices shall be removed from the street upon the removal of the recreational vehicle.

(c) no owner or operator of a recreational vehicle shall park the recreational vehicle on any residential street pursuant to this Subsection in such a manner as to constitute a hazard to other persons using the street.

(d) any recreational vehicle parked on a residential street pursuant to this Subsection shall display a current plate.

- (10) no person shall park or leave parked at any time, a trailer which is detached from the vehicle used for moving the same, unless the trailer is a recreational vehicle to which Subsection (9)(a), (9)(b), (9)(c) and (9)(d) applies.

(f) Power Turns:

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

(g) Snowmobiles:

Under the provision of the Snowmobile Act, it shall be lawful to operate a snowmobile between the hours of 7:00a.m. and 11:00p.m. on any public highway.

(h) Speed:

(1) Subject to subsection (2), no person shall operate a vehicle in the municipality at a speed greater than forty (40) km/hr.

(2) No person shall operate a vehicle at a speed greater than thirty (30) km/hr between the hours of 8:00a.m. and 4:30p.m. of every day when school is held, on any street adjoining a school ground and marked by appropriate signs erected by the Town as specified in Appendix 9.

(i) U-Turns:

(1) No person shall cause a vehicle to make a U-Turn in the intersection of a street with a lane or an alley in the municipality.

(2) No person shall cause a vehicle to make a U-Turn at the intersections designated as “No U-Turn” (Appendix 2) intersections. This shall apply to all traffic approaching and facing a “No U-Turn” sign erected and maintained in accordance with the provision of section 4(c).

(i) Weight Restrictions – Truck Routes:

(1) No person shall operate any vehicle weighing with or without its load more than five hundred (500) pounds per inch width of tire on the highway in the municipality designated as “Truck Routes” as listed in Appendix 10.

(2) The provisions of section 46 of the Police Act and section 71 of the Highway Act shall apply to the operators of vehicles referred to in subsection (1).

(k) Bicycles:

No person shall operate a bicycle without having at least one hand on the handle bar.

4. Signs

(a) Council shall cause to be erected and maintained at all stop streets listed in Appendix 1, at a distance of approximately three (3) meters from point of intersection, appropriate sign containing the word “STOP”, so placed to face 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, an 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 listed in Appendix 7, 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 or points 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 Section 3(c)(1) and (2) of this bylaw is guilty of an offence 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 subsection 3(d)(1) and 3(f) of this bylaw shall be liable on summary conviction to a penalty of:

Lug Vehicles – Section 3(d)(1) - \$100

Power Turns – Section 3(f) - \$100

(c) (1) A person who contravenes any of the provisions of subsection 3(e) of this bylaw or fails to comply therewith or with any notice or order given thereunder shall be guilty of an offence and upon conviction, shall be liable to penalties as follows:

Parking – Section 3(e)(2-8) - \$75.00

U-Turns – Section 3(i) - \$75.00

(2) A violator of the sections 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 offence.

(3) The notice of violation shall be in Form 2, Appendix 11, attached to and forming part of this bylaw.

(d)(1) A person who contravenes the provisions of subsections 3(j)(1) and (2), is

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guilty of an offence and liable on summary conviction to a penalty of not less than \$25.00 nor more than \$100.00 for the first offence and not less than \$25.00 nor more than \$200.00 for each subsequent offence.

a further penalty shall be imposed as follows:

(a) - Three dollars for each 50 kg. or fraction thereof for the first 1000kg. in excess of the prescribed maximum gross weight allowable; and

(b) - Five dollars for each 50kg. or fraction thereof in excess of 1000kg. 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, whichever is the lesser, shall not be taken into account.

(2) In each instance, the total fine shall not exceed the maximum provided for in the general penalty bylaw of the municipality.

6. Impounding:

(1) 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.

(2) 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 is sooner paid. Upon payment of the full costs herein, the vehicle may be released to the owner thereof.

(3) 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 the same from the owner of the vehicle by:

(a) legal action in a court of competent jurisdiction;

(b) sale by public auction on publication of notice designating the time and place of sale at least ten 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. Repeal of Previous Bylaws:

Bylaws 09/07, 03/08, 09/09, 09/11, 01/12, 04/12, 8-14, 10/15, 16/15, 03/16, 07/16 and 13/16 are hereby repealed.

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R. Kerin Harker
Mayor

[Signature]
Administrator

Read a first time this 15th day of January, 2019
Read a second time this 15th day of January, 2019
Read a third time and adopted this 15th day of January, 2019

Certified a true copy of Bylaw 01/19
passed by resolution of Council January 15, 2019

[Signature]
Administrator

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APPENDIX 1 – “STOP” Streets (section 2(a))

<u>Through Street or Avenue</u>	<u>Controlled (stop) Street or Avenue</u>
1. Main Street	Second Avenue
2. Main Street	Third Avenue
3. Main Street	Fourth Avenue
4. Main Street	Fifth Avenue North & South Side
5. Main Street	Sixth Avenue
6. Main Street	Seventh Avenue
7. Main Street	Eighth Avenue
8. Central Avenue	Main Street – West Side
9. Central Avenue	Main Street – East Side
10. Central Avenue	Thompson Street (4 Way)
11. Central Avenue	McDonald Street
12. Central Avenue	Industrial Drive
13. CNR Right-of-Way	Fifth Avenue South, North & South Side
14. Fourth Avenue	Thompson (4 Way)
15. Fifth Avenue	Rupert Street, West side & East side
16. Rupert Street	Second Avenue North & South Side
17. Rupert Street	Third Avenue (4 Way)
18. Rupert Street	Fourth Avenue, South side & North side
19. Thompson Street	Third Avenue (4 Way)

APPENDIX 2 – “YIELD” Streets (section 2(b))

<u>Through Street or Avenue</u>	<u>Controlled (yield) Street or Avenue</u>
1. Central Avenue	Elevator Road
2. Central Avenue	Rupert Street
3. Rupert Street	Sixth Avenue
4. Rupert Street	Seventh Avenue
5. Rupert Street	Eighth Avenue
6. Thompson Street	Blake Crescent East & West Side
7. Thompson Street	Norman Avenue
8. Main Street	Norman Avenue
9. Elevator Road	Fifth Avenue North & South Side
10. Fourth Avenue	Cannon Court
11. Fourth Avenue	McDonald Street
12. McDonald Street	Hamm Court

APPENDIX 3 – “NO U-TURN” Intersections (section 2(c))

APPENDIX 4 – SCHOOL ZONES (section 3(h)(2))

<u>Name of School</u>	<u>Street or Avenue</u>	<u>To</u>	<u>From</u>
Aberdeen Composite	Thompson Street	Central Avenue	Third Avenue
Aberdeen Composite	Central Avenue	North Boundary of Rec Centre	Rupert St

APPENDIX 5 - PERMIT FOR OPERATION OF LUG VEHICLE (section 3(d))

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 any specified bridge or culvert thereon, without first laying down on such bridge or culvert planks or timbers of not less than five (5) centimeters in thickness or less than four (4) meters in length, 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 lug 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.

Owner/Operator

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APPENDIX 6 – ANGLE PARKING AREAS Section 3 (e)

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Main Street (north side only)	Central Avenue	Fifth Avenue
Third Avenue (east side only)	201A Third Ave	205C Third Ave
Fourth Avenue (west side, Lots 10,11,12,13,14 (100 Block), Lots 13,14 (200 Block)) (east side, Lot 1 (100 Block), Lots 29-31 (200 Block))	Main Street	Thompson Street

APPENDIX 7 – NO PARKING AREAS (section 3(e))

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Third Avenue	Frontage occupied By Town Shop	Same
Thompson Street	Second Avenue	Central Avenue
Second Avenue	Frontage of Skating Rink where front doors adjoin	

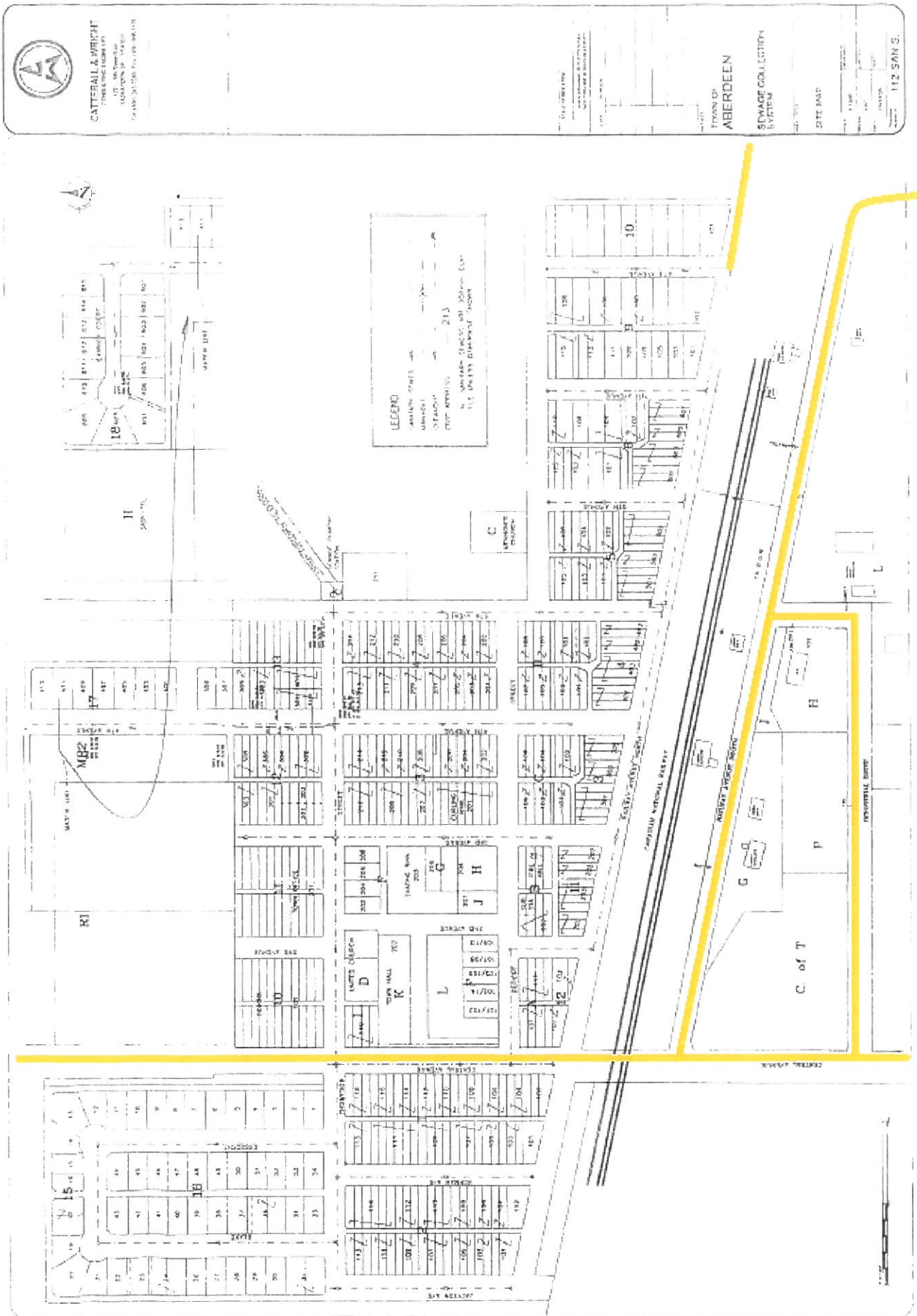
APPENDIX 8 – NO PARKING AREAS – HEAVY VEHICLES (section 3 (e))

APPENDIX 9 – SPEED ZONES – SCHOOL (section 3(h))

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Thompson Street	Third Avenue	Central Avenue
Central Avenue	Rupert	McDonald Street

APPENDIX 10 – HEAVY VEHICLE ROUTES (section 3(e))

<u>Street or Avenue</u>	<u>From</u>	<u>To</u>
Elevator Road	Central Avenue	East Avenue
East Avenue	Elevator Road	Highway #22940 (old #27)
Central Avenue	North Limits of Town	South Limits of Town
Main Street	Eighth Avenue	Eastern Limits of Town
Industrial Drive	Central Avenue	Fifth Avenue
Fifth Avenue	Elevator Road	Industrial Drive



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APPENDIX 11 – VIOLATION NOTICE

FORM 2
NOTICE OF VIOLATION
TOWN OF ABERDEEN

NAME:

ADDRESS:

DETAILS OF OFFENCE:

DATE: _____ TIME: _____ A.M./P.M. LICENCE NO. _____

VIOLATION: Parking - _____
 Other - _____

DESCRIPTION OF VIOLATION:

LOCATION OF VIOLATION:

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

Penalty for the above violation: _____

Special Constable

Where the penalty for the above violation is \$100.00 or less, you may make voluntary payment of the above penalty at the Town Office in Aberdeen, during regular office hours or by mail within 7 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 5. Penalties of the said bylaw.