

Parking Bylaw 2014 - 11

Rural Municipality of Edenwold No.158

A BYLAW TO REGULATE THE PARKING OF VEHICLES

In accordance with Section 8 of *The Municipalities Act*, the Council of the Rural Municipality of Edenwold No.158 in the Province of Saskatchewan enacts as follows:

1. This bylaw may be referred to as the Parking Bylaw and shall apply to all residential and commercial subdivisions of:

Emerald Park

Park Meadow Estates	Meadow Ridge Estates	Bohach Estates
Bridlewood Estates	Stone Pointe Estates	Mission Pointe Estates
Rock Pointe Estates	Crawford Development	Spruce Creek
Jameson Estates	Escott Estates	Deneve Subdivision
Great Plains Industrial Park (East and West)		Hamlet of Crawford Estates
Lovelace Subdivision	Carson Subdivision	

2. **DEFINITIONS**

For the purpose of this bylaw, the following terms and words shall have the following meanings:

- (a) **"angle parking"** 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 of the municipality;
- (c) **"council"** means the council of the Rural Municipality of Edenwold No.158;
- (d) **"curb"** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (e) **"designated officer"** means the Administrator, Royal Canadian Mounted Police, Commissionaire, Sheriff or any other person appointed to enforce municipal bylaws;
- (f) **"front yard"** that part of a yard site which extends across the full width of a site between the front property line and the nearest main wall of a building or structure on the site.
- (g) **"highway"** means a road, parkway, driveway, 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 Highways and Transportation Act, 1997*;
- (h) **"justice"** means a justice of the peace as per *The Interpretation Act, 1995*;
- (i) **"mobile home"** means a wheeled vehicle designed for mobile accommodation and includes cabin trailers, collapsible cabin trailers, tent trailers and camping trailers but does not include any self-propelled mobile accommodation as per "*The Vehicle Classification and Registration Regulations*".
- (j) **"municipality"** means the Rural Municipality of Edenwold No.158;
- (k) **"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 of the highway, or a distance of not more than thirty (30) centimeters from such curb;
- (l) **"parking"** has the meaning ascribed thereto by *The Traffic Safety Act*;
- (m) **"trailer"** means a vehicle means a vehicle that is at any time drawn on a highway by a motor vehicle and that is designed for the conveyance of goods or as living quarters ascribed thereto by *The Traffic Safety Act*;
- (n) **"travel trailer"** means a structure that is equipped to travel on a road and is intended to provide accommodation for vacation or recreational use as ascribed by the *Municipalities Act*;
- (o) **"unregistered motor vehicle"** means a motor vehicle which is not registered in accordance with *The Highway Traffic Act*;
- (p) **"vehicle"** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*; a motorhome per "*The Vehicle Classification and Registration Regulations*"; a travel trailer ascribed by the *Municipalities Act*; and a mobile home.

3. **PARKING**

Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality subject to the following:

- (a) no person shall park a vehicle in any lane, or in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises;
- (b) every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park the same.
- (c) no person shall park a vehicle in any designated "No Parking" area at any time whether such areas are marked on the curb or otherwise by signs erected and maintained by the Municipality indicating that parking therein is prohibited.
- (d) no person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.
- (e) no person shall park a vehicle on any highway, street or avenue at one place for any period of time exceeding twenty-four (24) consecutive hours.
- (f) no person shall park any vehicle in any private 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.
- (g) no person shall park any vehicle on any private property in the front yard for a period of time exceeding ten (10) consecutive days.
- (h) 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 metres from the 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. Nothing in this clause 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.

4. **VEHICLES ON PUBLIC RESERVES, BUFFER STRIPS, ETC.**

- (a) No person may operate or park a vehicle or unregistered motor vehicle on any area designated as public reserve, municipal reserve, buffer strips, etc.; the provisions of this clause shall not apply to maintenance or vehicles using a designated parking area.

5. **PENALTY**

- (a) Any person who contravenes any of the provisions of this bylaw is guilty of an offence and liable on summary conviction to the penalties provided in the General Penalty Bylaw of the municipality.

6. **NOTICE OF VIOLATION:**

- (a) A violator of any of the subsections of this bylaw, upon being served with a Notice of Violation, may during the regular office hours, voluntarily pay the penalty set in section 7 at the municipal office within thirty (30) days and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- (b) The Notice of Violation shall be in Form "A", attached to and forming part of this bylaw.

7. **VOLUNTARY PAYMENT OPTION**

- (a) Parking violation fine \$50.00 first offence
- (b) Where any person contravenes the same provision of this bylaw two or more times within one twelve month period, the specified payment payable in respect of the second or subsequent contravention is double the amount in 7(a).
- (c) Where any person makes payment within fourteen (14) days of the date of the violation notice the fine shall be 50% of the fine amount.

8. **IMPOUNDING**

- (a) In addition to and notwithstanding any provisions contained within Section 6 hereof, any person appointed as a designated officer pursuant to this bylaw:
 - i. may remove or cause to be removed any vehicle or mobile home that:
 - 1. is unlawfully placed, left or kept on any street, public parking place, or other public place;
 - 2. is unlawfully parked pursuant to clause 3 when requested by the owner, occupant, licensee or permit holder of said land; or
 - 3. is found on a street, street, public parking place, other public place or

municipally-owned property when:

- a. the owner of the vehicle owes three or more outstanding fines to the municipality for parking offences;
 - b. the appeal period against the imposition and amount of said fines has expired;
 - c. at least two notices that the fines are outstanding were sent to the owner at least one week apart; and
 - d. 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 clauses 6, has issued an order authorizing the removal and impoundment
- ii. and seize, impound or store such vehicle.
- b. The municipality may retain a vehicle which has been impounded or stored after it has been removed under subsection 8 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 costs the vehicle shall be released to the owner.
 - c. If the fines and costs described in section 7 have not been paid within a period of 30 days, the municipality shall have the right to recover same from the owner of the vehicle by :
 - i. legal action in a court of competent jurisdiction;
 - ii. sale through public auction; or
 - iii. by private sale of the vehicle.
 - d. 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 14 days prior to the sale by:
 - i. publishing a notice in a newspaper circulating in the municipality;
 - ii. sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - iii. by any other means which council may consider appropriate.
 - e. The proceeds from such sale shall be applied firstly on the fines and costs described in section 7 and the balance remaining, if any, shall be paid to the owner.
 - f. If the proceeds from such sale are insufficient to satisfy the fines and costs described in subsection 7, 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.

9. Bylaw No. 2014 – 5 is hereby repealed.

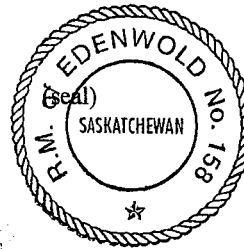
First Reading: April 23, 2014
Second Reading: April 23, 2014
Third Reading: April 23, 2014



Mitchell Huber, Reeve



Kim McIvor, Administrator





**Bylaw No. 2014 – 11
Form “A”
Rural Municipality of Edenwold No. 158**

NOTICE OF PARKING VIOLATION

NAME: _____

ADDRESS: _____

License Number: _____ Make/Model: _____ Year: _____

On the _____ day of _____, 20____, at/near _____,
Saskatchewan at _____ a.m/p.m

Did unlawfully commit the following offence: Parking Bylaw No. 2014-11

DESCRIPTION OF OFFENCE:

LOCATION OF OFFENCE:

You are charged with violation of Bylaw No. 2014 – 11, Section _____.

Penalty for the above violation: ___ may be paid voluntarily* ___ may not be paid voluntarily

Issuer/Designated Official

*Where any person makes payment within fourteen (14) days of the date of the violation notice and where payment is received at the municipal office of the RM of Edenwold No. 158 within fourteen (14) days the fine shall be reduced by 50% of the fine amount.

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is \$50.00 or less, you may make voluntary payment of the above penalty at the municipal office of the Rural Municipality of Edenwold No. 158 during regular office hours or by mail within 15 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 of the said bylaw.

Payment to: R.M. of Edenwold No. 158, Box 10, Balgonie, S0G 0E0

Or in person: 100 Queen Street, Balgonie, SK Monday to Friday between 9am to 12noon and 1pm to 5pm