

A BYLAW TO REGULATE THE OPERATION OF VEHICLES

THE Council of the Town of Herbert, in the Province of Saskatchewan, enacts as follows:

1. INTERPRETATION

- a) 'administrator' means the administrator of a town;
- b) '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) centimetres from such curb, the vehicle to be placed at an angle of forty five (45) degrees with the curb;
- c) 'curb' means the lateral boundaries of a roadway, whether or not marked by curbing;
- d) 'heavy vehicle' means a motor vehicle with or without load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes or more;
- e) 'highway' means any street or public highway therein as designated pursuant to the provisions of The Highways and Transportation Act;
- f) '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;
- g) 'municipality' means the Town of Herbert;
- h) '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) centimetres from such curb;
- i) 'parking', 'park' shall respectively have the meaning ascribed thereto by the Highway Traffic Act;
- j) 'place of public assembly' means schools, theatres, moving picture theatres, churches, hockey and skating rinks, dance halls and public assembly halls;
- k) '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;
- l) 'speed zone' means any portion of a highway within the Town of Herbert, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- m) '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;
- n) 'vehicle' means a vehicle or a motor vehicle as ascribed to it by The Highway Traffic Act;
- o) 'loading zone' means that portion of a public highway adjacent to the curb designed by signs or markings for the exclusive use of vehicles loading and unloading passengers or goods.

2. SCOPE

- a) 'STOP' STREETS - the highways as listed in Appendix 1 are designated as 'Stop' streets
- b) 'YIELD' STREETS - the highways as listed in Appendix 2 are designated as 'Yield' streets
- c) 'ONE-WAY' STREETS - the highways as listed in Appendix 8 are designated as 'One-way' streets
- d) 'LOADING ZONES' - the highway locations as listed in Appendix 9 are designated as 'Loading zones'.

3. INFRACTIONS

- a) 'STOP' STREETS - the provisions of the Highway Traffic Act shall apply to all traffic approaching and facing a 'stop' sign erected and maintained in accordance with the provisions of section 4(a).
- b) 'YIELD' STREETS - the provisions of the Highway Traffic Act shall apply to all the 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 or 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 from the administrator, a permit in writing authorizing same.
  - 2) The administrator is hereby authorized to issue permits in writing for the purpose of section d(1) of this bylaw in any case where the applicant therefor has signed a written undertaking in Form 1, Appendix 3. 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(10) 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.

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, provided no such truck or vehicle shall be so parked for period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the administrator of the municipality for an extension of such time limit.  
c) no person shall park a vehicle in any private driveway in such a manner as to obstruct the public sidewalk.
- 3) Every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park same; on the right hand side of the street in the direction they are facing, parallel and not more than 0.5 metres from the curb or drainage ditch, as the case may be.
- 4) No person shall park a vehicle in any 'No Parking' area as designated in appendix 4, at any time whether such areas are marked on the curb or otherwise by signs erected and maintained in accordance with the provisions of section 4(c) to indicate that parking therein is prohibited.
- 5) No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant, or within two (2) metres of a lane or driveway.
- 6) No person shall park a vehicle on any highway at one place for a period of time exceeding twenty four (24) consecutive hours.
- 7) No person shall park any vehicle in any private parking place or 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 30 metre 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) subject to subsection (b) the parking of vehicles with an overall length exceeding ten (10) metres shall be limited to 2 hours in a 24 hour period within any block of any highway situated in areas zoned R1 and R2.  
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.
- 10) No person shall park a vehicle, other than a vehicle equipped with bumpers, front and rear, on Herbert Avenue between the intersections at Shaw Street and Thompson Street.
- 11) No vehicle shall be parked with the engine running, unless it is in the charge of, and under the control of a competent person, 16 years or older or unless the doors are locked.
- 12) No unregistered vehicles shall park on any street or lane in the Town of Herbert.
- 13) No person shall park a truck, tractor unit, trailer, bus or any vehicle on a street in a residential 'R' zone, except while unloading or loading.

f)

#### STUNTING

- 1) The operator of a vehicle shall not execute 'power turns' on any highway in the municipality.
- 2) No person shall operate a motor vehicle on any street, parking lot or service station or entrance or exit thereto in any manner so as to cause the driven tires to spin whereby stones or gravel might be thrown from the spinning wheels and/or squeal.

g)

#### SNOWMOBILES

- 1) Under the provisions of the Snowmobile Act, it shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 10:00 p.m. on any highway except Herbert Avenue and the route of Provincial Highway No. 1 within the limits of the municipality.  
a) for a resident of the Town of Herbert for the purpose of travelling by the most direct route without stopping to or from his or her residence by the most direct route without stopping from or to the Corporate limits of the municipality.  
b) for a non-resident of the Town of Herbert for the purpose of travelling by the most direct route without stopping to or from the Corporate limits of the Town nearest to his or her residence from or to such area(s) as may from time to time be designated by resolution of the Council for the parking of snowmobiles
- 2) Notwithstanding Section g 1) of this bylaw, it shall be lawful to operate a snowmobile on Herbert Avenue and the route of Provincial Highway No. 1 for the sole purpose of crossing the 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/h.
- 2) No person shall operate a vehicle at a speed greater than <sup>thirty</sup> ~~twenty five~~ (25) km/h in the speed zones as set out in Appendix 5.
- 3) Speed limit provisions do not apply to any route of a Provincial Highway. <sup>30</sup>

#### U-TURNS

No person shall cause a vehicle to make a U-Turn between intersections of a highway in the municipality.

#### VEHICLES ON PUBLIC RESERVES, ETC.

- 1) No person may operate or park a vehicle on any areas designated on Appendix 6.
- 2) The provision of subsection 1 shall not apply to maintenance vehicles or vehicles using a designated parking area.

#### ONE WAY STREETS

- 1) Except as otherwise provided herein a person may operate a vehicle in either direction on all highways within the municipality.
- 2) No person shall operate a vehicle in a direction other than that indicated on the highways as listed in Appendix 8, designated as one way streets.

#### LOADING ZONES

- 1) No operator of a vehicle shall remain in a loading zone for a period exceeding two (2) minutes for the purpose of embarking or disembarking passengers, provided that on the expiration to the two minutes period the onus of proving the loading and 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 period exceeding five (5) minutes for the purpose of loading or unloading goods.

#### 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) metres from point of intersection, an appropriate sign containing the word 'Stop', so placed to face the 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) metres from point of intersection, appropriate 'Yield' sign, so placed to face the traffic approaching the intersection.
- c) Council shall cause to be erected and maintained at all 'No Parking' areas as listed in Appendix 4, 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.
- d) 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.

#### PENALTIES

- a) Any person who contravenes any of the provisions of subsections 3 c) 1) and 3 c) 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 subsections 3 d) 1), 3 l), 3 g) 1), 3 l), and 3 k) 2) of this bylaw shall be liable on summary conviction to a penalty of \$50.00
- c) 1) A person who contravenes any of the provisions of subsections 3 e) 1) to 13), 3 j) 1), 3 l) 1 & 2) of this bylaw or fails to comply there with or with any notice or order given thereunder shall be guilty of an offence and upon conviction shall be liable to penalty of \$20.00
- 2) A violator of 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, if the penalty is paid within fifteen (15) days it will be reduced to \$5.00 and upon payment as so provided, that person shall not be liable to prosecution of the offence. Should the fine remain unpaid after thirty (30) days a summons will be issued with a court date. The fine may be paid up to five days prior to the court date at a cost of \$40.00.
- 3) Penalties for violation under subsections 3 (h) shall be the same as those prescribed for like offences in the summary of offences provisions under the Highway Traffic Act.
- 4) The Notice of Violation shall be in Form '2' Appendix 7, attached to and forming part of this bylaw.

#### IMPOUNDING

- 1) Any member of a police force, 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 are 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 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 a 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. GENERAL

1) All traffic on the street and sidewalks, notwithstanding the provisions of this Bylaw, will be subject to any temporary or emergency direction of the Police, Administrator or Fire Chief for the purpose of relieving congestion of traffic, preventing accidents, performing maintenance or street cleaning or meeting unforeseen conditions.

2) No vehicle shall cross a firehose, unless it is protected with planking and provisions have been made to cross it by the Fire Department.

8. REPEALS

The following bylaws and any amendments thereto are hereby repealed: 85-14, 88-5, 90-8

8. EFFECT

This bylaw shall come into force and take effect on the day of the final passing thereof.  
Adopted, signed and sealed this <sup>25th</sup> 11 day of April, 1994 A.D.  
*Am*

(seal)



*W. de Korp*  
\_\_\_\_\_  
[Mayor]

*MacArthur*  
\_\_\_\_\_  
[Administrator]

CERTIFIED TO BE A TRUE COPY OF BYLAW 94-2  
ADOPTED BY RESOLUTION OF COUNCIL ON THE  
<sup>25th</sup> 11 DAY OF APRIL, 1994 A.D.

*MacArthur*  
\_\_\_\_\_  
Administrator

APPENDIX 1 OF BYLAW 94-2

STOP Streets Section 2 a)

The following streets are hereby designated as 'Stop' Streets:

- a) Herbert Avenue from Lobethal Street west to Dominion Street, except for the traffic approaching Herbert Avenue from the north on Annable Street, Willoughby Street and Taylor Street
- b) Shaw Street from Railway Avenue, South Railway Avenue and First Avenue
- c) Railway Avenue from Willoughby Street

APPENDIX 2 OF BYLAW 94-2

YIELD Streets Section 2 b)

The following streets are hereby designated as 'Yield' streets:

- a) The north side of Herbert Avenue from Taylor Street, Willoughby Street and Annable Street
- b) Railway Avenue from Taylor Street to Brownlee Street, except for the traffic approaching Railway Avenue from the north on Willoughby Street
- c) Prairie Avenue from Willoughby Street to Shaw Street
- d) Bison Avenue from Annable to Lobethal Street
- e) Prospect Avenue from Annable Street to Shaw Street
- f) Connaught Avenue at the west intersection with Shaw Street
- g) Leonard Street at the intersection with Connaught Avenue
- h) Thompson Street at the intersection with Connaught Avenue
- i) Dennis Street at the intersection with Connaught Avenue
- j) Brownlee Street at the intersection with Connaught Avenue
- k) Lobethal Street at the Prairie Avenue intersection
- l) Donnelly Street at Prairie Avenue and Bison Avenue
- m) South Railway Avenue from Arthur Street and Siegrist Street

FORM 2

APPENDIX 3 OF BYLAW 94-2

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

APPENDIX 4 OF BYLAW 94-2

NO PARKING Areas

Section 3 e) 4)

The following areas are hereby designated as 'No Parking' areas:

- a) Dennis Street in front of Fire Hall as designated by signs
- b) Prairie Avenue in front of Mennonite Brethren Church as designated by signs
- c) Connaught Avenue from Dennis Street to Annable Street as designated by signs
- d) Herbert Avenue in front of Herbert Nursing Home Inc. as designated by signs.

APPENDIX 5 OF BYLAW 94-2

SPEED ZONES - school - playground Section 3 (h) (2)

The following areas are hereby designated as "speed zones":

- 1) Connaught Avenue from Dennis Street to Annable Street
- 2) Leonard Street from Prairie Avenue to Herbert Avenue
- 3) Annable Street from Prairie Avenue to Herbert Avenue
- 4) Thompson Street from Prospect Avenue to Connaught Avenue
- 5) Leonard Street from Prospect Avenue to Connaught Avenue
- 6) Herbert Avenue from Leonard Street to Annable Street

APPENDIX 6 OF BYLAW 94-2

PUBLIC RESERVES, ETC. Section 3 (j) (1)

The following areas are hereby designated as Public Reserves:

- (a) Municipal Park Lots 1-8 & 13-15 Block 6 Plan 62392
- (b) Cemetery 527' x 280' Block 1 Plan 2266  
168' x 700' Block 1 Plan B3773
- (c) Golf Course Blocks 7,8,15,16 Plan E39

FORM 2

APPENDIX 7 OF BYLAW 94-2

NOTICE OF VIOLATION

Section 5 (3)



TOWN OF HERBERT  
BYLAW VIOLATION TAG

DAY	MO	YR	.	A.M.
			.	P.M.
DATE			TIME	

B Y L A W	ANIMAL	BLDG	WASTE	TRAFFIC	SIGN	FENCE	OTHER
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THIS TAG ISSUED FOR BREACH OF SECTION		Specified Penalty	\$
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OFFENCE \_\_\_\_\_

LOCATION \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

VEH LIC No \_\_\_\_\_ DR LIC No \_\_\_\_\_

PARTICULARS \_\_\_\_\_ OFFICER \_\_\_\_\_

YOU MAY AVOID PROSECUTION FOR THIS OFFENCE BY PAYING THE PENALTY INDICATED ABOVE TO THE TOWN OF HERBERT WITHIN 15 CALENDAR DAYS.  
FAILURE TO COMPLY WILL RESULT IN PROSECUTION IN PROVINCIAL COURT. NO REMINDER NOTICE WILL BE SENT.

No 051

APPENDIX 8 OF BYLAW 94-2

ONE WAY STREETS Section 2 (c), 3(k)

Entrance into the Town of Herbert extending from a point approximately 875' south and 950' west of the quarter corner north of Section 8-17-9-3 to a point approximately 500' south and 1340' west of the same quarter corner north of Section 8-17-9-3

APPENDIX 9 OF BYLAW 94-2

LOADING ZONES Section 2(d) 3(1)

- (a) Herbert Avenue Lot 3 & 4 Block 13 Plan L3680
- (b) Herbert Avenue Lot 5 Block 14 Plan L3680