

**MUNICIPALITY OF SOURIS-GLENWOOD
BY-LAW NO. 35-2020**

A By-Law to provide for the regulation of traffic and parking of vehicles in the Municipality of Souris-Glenwood.

WHEREAS a municipality has the direction, control and management of municipal roads within its boundaries.

AND WHEREAS Section 90 (1) of The Highway Traffic Act C.C.S.M. c. H60 provides for a traffic authority to make rules or bylaws to regulate and control vehicular and other traffic and the parking thereof within its jurisdiction;

AND WHEREAS Section 90 (2) of The Highway Traffic Act C.C.S.M. c. H60 provides for the council of the municipality to impose penalties for a violation of any such rule or bylaw;

AND WHEREAS Section 90 (3) of The Highway Traffic Act C.C.S.M. c. H60 provides for the council of a Municipality to make rules or bylaws applicable to any part of a provincial highway within the Municipality.

AND WHEREAS Section 236 (1) (b) (ii) of The Municipal Act C.C.S.M. c. M225 states: 236 (1) without limiting the generality of clause 232 (1) (a) (enforcement of By-Laws), a By-Law passed under that clause may include provisions
(b) remedying contraventions of By-Laws, including
(ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the By-Law.

AND WHEREAS Section 3(2)(a) of the Municipal By-Law Enforcement Act states a municipality may require administration penalties to be paid if the municipality designates the By-Law contraventions that may be dealt with by a penalty notice.

AND WHEREAS the Council of the Municipality of Souris-Glenwood, deems it necessary and in the best interests of the municipality to restrict the parking of vehicles and trailers on streets in the Municipality of Souris-Glenwood;

AND WHEREAS it is deemed necessary and expedient to pass a Bylaw to regulate and control vehicular and other traffic and the parking thereof within the Municipality of Souris-Glenwood;

THEREFORE, BE IT AND IT IS ENACTED AS FOLLOWS:

ARTICLE 1 – DEFINITIONS

“By-Law Enforcement Officer” means a person appointed or designated under the Municipal Act to enforce the By-Laws of the Municipality and includes a designated employee or officer under the Planning Act.

“Designated parking space” means a space designated by signs or pavement markings as being for the sole use of motor vehicles displaying a permit and that is located:

- (1) on a highway,
- (2) in a public parking lot or facility, or
- (3) in a private parking lot or facility to which the public has access

“Motor Vehicle” means a motor vehicle as defined in The Highway Traffic Act.

“Municipality” means the Municipality of Souris-Glenwood.

“Park”, when prohibited, means to stand a vehicle whether occupied or not, except
(a) when it is caused to stand temporarily for the purpose of, and while actually engaged in, loading or unloading, or
(b) in obedience to a peace officer or a traffic control device, and “parking” has a corresponding meaning;

“Permit” means a valid physically disabled person’s parking permit issued under Section 124.3 of The Highway Traffic Act.

“Persons” shall mean any individual, firm, company, association, society, corporation or group.

“Sidewalk” means a footpath, whether or not paved or improved, that is intended primarily for the use of pedestrians and that either

- (a) forms part of that portion of a highway that lies between the curb line or, if there is none, the lateral boundary line, of the roadway and
 - (i) the adjacent property lines, or
 - (ii) the straight production of the adjacent property lines to the curb line or if there is none, to the lateral boundary line, of an intersecting highway, or
- (b) although not part of a highway, is a publicly maintained right-of-way, set aside for pedestrian traffic only and for the purpose of giving access to property adjacent thereto;

“Special Event” shall mean a parade, procession, block party, or such other event held on a public street, lane or thoroughfare which will require closure to public traffic.

“Street” shall mean a municipal road for public use and includes a road allowance (including the shoulder), street, lane, thoroughfare, walkway, bridge and underpass, but does not include a departmental road as defined in The Highways and Transportation Act.

“Town” means the Town of Souris (Urban Area of the Municipality of Souris-Glenwood)

“Vehicle” means a device, in, upon, or by which a person or thing is or may be transported or drawn upon a highway and includes

- (a) an implement or husbandry that is not a motor vehicle, and
- (b) a special mobile machine, but does not include
 - (i) a device designed to be moved by human power or used exclusively upon stationary rails or tracks, or
 - (ii) a motorized mobility aid.

ARTICLE 2 - TEMPORARY STREET BARRICADES & CLOSURES

Section 2.1

Persons wishing to have a special event on any street or streets in the Town, shall make application with the Municipality of Souris-Glenwood, who shall review the application and may approve or reject the application (with conditions) and so advise the applicant within 48 hours of date of filing thereof. The application shall include the nature of the special event; the route intended to be taken, the date and length and the person or persons responsible for the event. The Municipality is hereby empowered to barricade or cause to be barricaded or erect a sign or remove a sign on any street or portion thereof deemed necessary for this event. If the event requires public awareness through the press or other means this shall be done at the expense of the applicant.

Section 2.2

No person shall park in a public street or lane at such time or manner to obstruct the performance of scheduled or emergency maintenance work on the public street, road or lane. The Municipality of Souris-Glenwood may post, close or detour any such streets, roads or lanes, it deems necessary in order to perform maintenance and/or construction work as necessary from time to time.

ARTICLE 3 - TRAFFIC & PARKING RESTRICTIONS

Section 3.1

No person shall park a vehicle where a sign or painted curb, placed and/or authorized by the Town, prohibits parking or where a sign has been erected prohibiting the parking of vehicles during certain hours or days, in accordance with Schedule “A” attached hereto.

Section 3.2

No person shall park a vehicle on a street or road in such a manner that it obstructs the entrance to a lane or to a driveway or an approach leading into a private premise or public pathway.

Section 3.3

No person shall park a vehicle within three (3) meters of an intersection.

Section 3.4

No person shall park a vehicle within three (3) meters from the point of the curb or edge of the roadway immediately opposite of a fire hydrant.

Section 3.5

No person shall park a vehicle within 100 meters of the scene of a fire or emergency except firefighting equipment or other emergency vehicles required in the firefighting operations.

Section 3.6

No truck with more than 2 axles, school buses, nor semi-trailers of any type, shall park on any street within the Town from eleven o'clock in the evening of one day until six o'clock in the morning of the following day, notwithstanding that a truck or trailer may park on a street during the course of loading and unloading. Such loading and unloading shall be done as quickly as possible and shall not block the street for other vehicular traffic.

Section 3.7

No person shall park a semi truck on residential driveways, within the Town.

Section 3.8

No person shall operate a truck with more than 2 axles, on a "No Truck Route" street as set out on Schedule "B" attached hereto, but any truck may operate upon any street where necessary to conduct business as a delivery at a destination point. Upon leaving the destination point, the truck shall return by using the shortest route.

Section 3.9

No person shall park a vehicle upon or over a sidewalk or in front of a public pathway which will obstruct the use of the sidewalk/pathway by pedestrians.

Section 3.10

No person shall stop, stand or park a motor vehicle in a designated parking space for physically disabled persons, or in a manner that makes a designated parking space inaccessible, unless the vehicle displays a permit in accordance with The Highway Traffic Act and the regulations under that Act

ARTICLE 4 - TRAFFIC & PARKING REGULATIONS**Section 4.1**

Parallel Parking of vehicles is required on all streets where parking is permitted in the Town except as set out on Schedule "C" attached hereto. Parallel parked vehicles shall be headed in the direction of traffic with the curbside wheels within 450 mm of the curb or if there is no curb, it shall be off the traveled portion of the streets, so that the vehicle will not interfere with the movement of other vehicles. On an uncurbed paved street the vehicle shall be parked off the paved portion of the road where possible.

Section 4.2

Traffic Control and parking regulation may be posted as per Schedule "A" and can henceforth be amended from time to time.

Section 4.3

Where the authority having jurisdiction as erected a "Stop" sign at an intersection or a level railway crossing, the driver shall bring that vehicle to a complete stop before traversing the intersection or railroad crossing, and shall not proceed until it is safe to do so.

Section 4.4

The operation of engine retardant brakes shall be prohibited within the Town.

Section 4.5

No person shall park in a street or boulevard a travel trailer or camper, except for the purpose of loading and unloading. A travel trailer or camper must be removed from the street within 24 hours.

Section 4.6

No person shall park in a street or boulevard a truck whether loaded or unloaded, used for the purpose of carrying bulk fuel or other liquid material that is flammable or explosive or any other dangerous goods.

Section 4.7

No person shall park in a street or boulevard a utility or construction trailer, unless being used for loading or unloading materials. No trailer shall be parked on the street for a period longer than 24 hours.

Section 4.8

No person shall stop or park in such a manner that constitutes a hazard on the street.

ARTICLE 5 - LOADING RESTRICTIONS/REGULATIONS

Section 5.1

No person shall park in a street, except for the purpose of loading and unloading. Such loading and unloading shall be done in as expeditious manner as possible. At no time shall the vehicle being loaded or unloaded completely block the lane, provision for one vehicle to pass shall be made at all times.

Section 5.2

No vehicle shall park backed up to the curb except when actually loading or unloading. In no event shall a vehicle be so parked as to interfere with the passage of other vehicles.

“SNOW REGULATIONS” ARTICLE 6 - STREET PARKING BAN

Section 6.1

Persons shall remove parked vehicles and refrain from parking on public streets and lanes during and after snowfall events which will require the removal of accumulated snow. Persons may resume parking on streets after snow removal operations have been completed. Street Parking Ban regulations are set out in Schedule “B” and may be amended from time to time by Resolution of Council.

Section 6.2

No person shall deposit snow from private properties onto public roads, streets, lanes and ditches. Persons found depositing snow on public roads, streets, lanes and ditches may be charged the cost to remove such snow, in addition to the applicable penalty.

Section 6.3

The Chief Administrative Officer or their delegate or Traffic Authority may remove or cause to be removed from a street, a vehicle that is stopped or parked in a position that causes it to interfere with the removal of snow from the street or maintenance of the street.

ARTICLE 7 - ENFORCEMENT

Section 7.1

The By-Law Enforcement Officer or RCMP are hereby authorized to enforce the following traffic regulations on private and public parking lots upon request by the Owner and all Municipal Parking Lots where the required signage is in place, namely:

- Physically Handi-cap Parking Only
- No Parking, Fire Lane
- Emergency Vehicles Only
- No Parking, Loading Area
- No Parking, Entrance Only or Exit Only
- No Parking

Section 7.2

The By-Law Enforcement Officer or RCMP may order a vehicle be towed away when such a vehicle is parked in a No Parking Zone or is in violation of the time limit in any restricted parking zone, the costs or fees are the responsibility of the registered owner.

Section 7.3

The By-Law Enforcement Officer or RCMP may issue a penalty notice to any person who has allegedly contravened any of the provision of this By-Law

Section 7.4

The Penalty Notice shall state the Vehicle Licence Number, the Date and Time and Place of the violation, and briefly describe the alleged violation. A copy of the Penalty Notice shall be attached to the vehicle or may be handed to the owner or operator in person.

Section 7.5

In the event that a violation under this By-Law is also a violation under the Highway Traffic Act, the RCMP may issue a penalty notice under the provision of the By-Law or a “Summons” under the Highway Traffic Act, at their discretion.

SCHEDULE "A" BYLAW 35-2020

The following traffic signs are hereby authorized to be erected and enforced, namely:

"NO PARKING"

"NO STOPPING"

"20 MINUTES PARKING LIMIT"

"NO PARKING, LOADING ZONE"

"4-WAY STOP" Intersections

"LOAD RESTRICTIONS"

"FIRE LANE"

"HANDI-CAP ONLY"

"PLAYGROUND" SIGNS

As posted on the authority of a Resolution of Council when necessary

Maps to be added

SCHEDULE "B" BY-LAW 35-2020

SNOW REMOVAL ROUTE

NO OVERNIGHT PARKING is in effect for winter months on Crescent Ave W from 1st St S to 2nd St S • 2nd St S from Crescent Ave W to 5th Ave W • 1st St S (#22 Highway) From 1st Ave (#2 Highway) to Crescent Ave W for snow removal. Violators will be towed at owner's expense.



“NO TRUCK ROUTE” Maps to be added