

THE CITY OF MELFORT

Office Consolidation

THE TRAFFIC BYLAW

NO. 2007-21

Including Amendments to October, 2016

All persons making use of this consolidation are reminded that it has no legal status and that the amendments have been embodied for convenience of reference only. A certified copy of the Bylaw and amendments should be consulted for all purposes of interpreting and applying the law.

Amendments to The Traffic Bylaw 2007-21

AMENDMENTS

DATE PASSED

Bylaw No. 2009-11	Section 3(1)(m) & Schedule 'E'	June 15, 2009
Bylaw No. 2010-03	Schedule 'A'	March 15, 2010
Bylaw No. 2010-12	Schedule 'D'	May 17, 2010
Bylaw No. 2012-06	Schedules 'A', 'C', 'D'	April 16, 2012
Bylaw No. 2012-20	Schedule 'A'	October 15, 2012
Bylaw No. 2013-01	Schedule 'E'	February 11, 2013
Bylaw No. 2013-21	Schedule 'E' & Section 43	December 9, 2013
Bylaw No. 2014-18	Schedule 'E'	August 11, 2014
Bylaw No. 2016-20	Schedule 'E'	October 17, 2016

The Traffic Bylaw No. 2007-21

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**CITY OF MELFORT
BYLAW NO. 2007-21**

**A BYLAW OF THE CITY OF MELFORT IN THE PROVINCE
OF SASKATCHEWAN TO REGULATE TRAFFIC AND THE USE OF PUBLIC
STREETS AND TO PRESERVE ORDER THEREON**

THE COUNCIL OF THE CITY OF MELFORT ENACTS AS FOLLOWS:

PART I TITLE APPLICATION AND INTERPRETATION

1. Title

This Bylaw may be cited as "*The Traffic Bylaw*".

2. Application

That all of the provisions and enactment's set forth in this Bylaw shall relate to, and be in full force and effect within the limits of the City of Melfort.

3. Interpretation

- (1) In this Bylaw, unless the context otherwise requires the expression, word or phrase:
- (a) **Act** means *The Traffic Safety Act and amendments thereto*.
 - (b) **Alley** means a street intended primarily to give access to the rear of property and shall include lane.
 - (c) **Bicycle** shall mean any vehicle which is propelled by muscular power having two tandem wheels either of which is over 38 centimetres in diameter and including any device adapted from a bicycle by the addition of one or more wheels.
 - (d) **Boulevard** shall mean that portion of a public highway not used for a street, curb, gutter or paved surface, whether developed or not.
 - (e) **Bus Stop** shall mean that portion of a public highway adjacent to the curb designated by sign and/or markings as such, for the purpose of loading and unloading passengers from gasoline and/or diesel and/or electric buses.
 - (f) **Chief of Police** means the member-in-charge of the Melfort Detachment of the Royal Canadian Mounted Police and/or anyone acting or appointed or authorized by him to act on his behalf.
 - (g) **City** means the City of Melfort, in the Province of Saskatchewan.
 - (h) **Clerk** means the City Clerk of the City of Melfort.

- (i) **Council** shall mean the Council of the City of Melfort.
- (j) **Curb** shall mean the actual curb and if there be no curb in existence, shall mean the dividing line between that part of a public highway actually used for the passage of vehicles and that part of a public highway actually used either as a boulevard or for the passage of pedestrians.
- (k) **Director** means the Director of Works & Utilities for the City of Melfort or anyone acting or authorized by the City Council or the Director of Works & Utilities to act on his behalf.
- (l) **Disabled Person's Parking Area** means all that portion of any street or other public place or public parking lot that has been designated by sign or other marking for the exclusive parking of disabled person's vehicles.
- (m) **Disabled Person's Vehicle** means any vehicle which displays a valid permit issued by the Saskatchewan Abilities Council for persons with disabilities. The permit must be hanging from the rear-view mirror with the expiry date clearly visible through the windshield.
- (n) **Double Parked** shall mean when a vehicle stops or parks upon that portion of a public highway not set aside for any purpose other than for the purpose of adjusting to vehicular or pedestrian traffic.
- (o) **Driver** (passengers excluded) includes the rider of a bicycle, motorcycle and also the operator of a vehicle.
- (p) **Fire Lane** means that area designated by signs or markings as a fire lane.
- (q) **Highway** means a Highway as defined in **The Traffic Safety Act**.
- (r) **Highway Intersection** shall mean that area bounded by property lines, real or produced, of two or more public highways which meet or cross each other, but does not include a "lane intersection".
- (s) **Holidays** shall mean any statutory or municipal holiday.
- (t) **Intersection** shall mean that kind or type of public highway intended primarily to give access to the rear and/or side of real property and intended primarily for the use of vehicles and shall include alley.
- (u) **Lane** shall mean that kind or type of public highway intended primarily to give access to the rear and/or side of real property and intended primarily for the use of vehicles and shall include alley.
- (v) **Lane Intersection** shall mean that area bounded by property lines, real or produced, of a lane where it meets a public highway or other lane.
- (w) **Loading Zone** shall mean that portion of a public highway adjacent to the curb designated by signs and/or markings for the exclusive use of vehicles, loading or unloading passengers or goods.

- (x) **Manager** means the City Manager of the City of Melfort.
- (y) **Misconduct** means and includes any act, deed or practice which is not in the public intent.
- (z) **Motor Vehicle** means a motor vehicle as defined in The Traffic Safety Act.
- (aa) **Owner** shall be defined in *The Traffic Safety Act*.
- (bb) **Parade** shall mean any group of pedestrians marching or walking along a public highway and numbering 30 or more, or any group of vehicles numbering 10 or more and proceeding on a public highway under a common leadership, except funeral processions.
- (cc) **Parking** shall be as defined in *The Traffic Safety Act*.
- (dd) **Parking Area** means a portion of a street or an area indicated by signs or markings as a place to park.
- (ee) **Parking Stall** shall mean a portion of a public highway or an area designated by signs and/or markings as a parking space for one vehicle only.
- (ff) **Pedestrian** shall mean any person afoot and shall include the occupant of a baby carriage or invalid's chair.
- (gg) **Pedestrian Crosswalk** shall mean that portion of a public highway designated by signs and/or markings for the use of pedestrians to cross a public highway, or where there are no signs or markings, shall mean that portion of a public highway within the prolongation of the lateral boundaries of the adjacent or intersecting, sidewalks at the end of a block, provided that where traffic is controlled at an intersection of a public highway by traffic control signals.
- (hh) **Person** includes a corporation or a partnership, and women as well as men.
- (ii) **Playground or Recreational Area** shall mean any area designated by Council for use for recreation.
- (jj) **Police Officer or Police Constable** shall mean any member of the Royal Canadian Mounted Police and any person specially appointed by the City of Melfort to be a Police Officer or Constable and shall include the Bylaw Enforcement Officer appointed by the City of Melfort.
- (kk) **Procession** means and is included in the word, term or expression parade.
- (ll) **School Ground** shall mean that area on which is situated an educational institution, whether public or private, and shall include the lands belonging thereto.
- (mm) **Sidewalk** shall mean the actual sidewalk where constructed on a part or a public highway or that portion of a public highway actually used

and intended primarily for use by pedestrians.

- (nn) **Sidewalk Crossing** shall mean that portion of a sidewalk designed for the passage of vehicular traffic.
 - (oo) **Snowmobile** shall be as defined in *The Snowmobile Act*.
 - (pp) **Street or Avenue** shall mean that portion of a public highway lying between curbs where constructed and intended primarily for use by vehicles, or where no curb exists, that portion of a public highway intended for use by vehicles.
 - (qq) **Traffic** shall mean the movement of pedestrians, vehicles, or livestock, upon any public highway in the City of Melfort.
 - (rr) **Traffic Light Signal** shall mean a lighted device whether manually, electrically, or mechanically operated, for the purpose of directing, warning or regulating traffic.
 - (ss) **Traffic Sign** means any sign marking or device other than any light signal, placed or erected for the purpose of guiding, directing, warning or regulating traffic.
 - (tt) **Vehicle** means a vehicle as defined in *The Traffic Safety Act*.
- (2) Wherever in this Bylaw the expression "**vehicle**", "**vehicular**" and "**vehicular traffic**" is used, it shall mean and be held to include for the purpose of prosecution under this Bylaw, the driver or operator.
 - (3) Subject to subsection (1) and (2) hereof, other words and expressions used in this Bylaw shall have the same meaning as given to them in "*The Traffic Safety Act*".
 - (4) All Schedules to this Bylaw are part of this Bylaw.

PART II POLICE & EMERGENCY AUTHORITY, TRAFFIC CONTROL DEVICES

4. Police Authority

A Police Officer is hereby authorized to direct traffic in conformity with the provisions of this Bylaw and *The Traffic Safety Act*.

5. Emergency Authority

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 is hereby authorized to direct traffic in such manner as he may deem necessary whether or not in conformity with the provision of this Bylaw or *The Traffic Safety Act*.

6. Obey Police Officers

Every person shall comply with any traffic signal or direction of a Police Officer given

pursuant to this Section.

7. Emergency Powers - Fire Department

In case of a fire or other emergency, officers of the Fire Department are hereby authorized to direct traffic in such a manner as they deem necessary whether or not it is in conformity with the provisions of this Bylaw and every person shall comply with every traffic signal or direction so given.

8. Temporary Closing of Streets for Pedestrian Purposes

Any portion of a public highway may be temporarily closed to vehicular traffic by the Chief of Police or the Director of Works & Utilities in order that pedestrians may have the exclusive use thereof.

9. Temporarily Preventing Parking for Public Convenience

Notwithstanding any other provisions of this Bylaw to the contrary, the Chief of Police and/or the Director of Works & Utilities shall have authority to temporarily prevent parking on or passage of traffic over any public highway or portion thereof, whenever in his judgement it may be necessary in order to avoid traffic congestion, danger or accident, or public inconvenience.

10. Temporarily Closing for Maintenance, Construction, Etc.

- (a) Notwithstanding any other provisions of this bylaw to the contrary, the Director of Works & Utilities shall have authority to temporarily prevent parking and/or prohibit traffic on any public highway or any portion thereof to allow any work to be carried out by or on behalf of the City, such work to include, but not be restricted to snow removal, cleaning, repairing or maintenance of such public highway or any work in respect to any public utility located under, on, or above any public highway.
- (b) Notwithstanding any other provisions of this bylaw to the contrary, the Director of Works & Utilities shall have the authority to designate and locate loading zones on any street in the City of Melfort, provided that within thirty (30) days after same have been designated or located, Council by resolution has formally authorized the same.

11. Streets Closed to Traffic

No person driving a vehicle shall drive through or enter upon any street or portion thereof which is roped, barricaded, or indicated by notice or sign as being closed.

12. Streets Closed to Public

No person shall park a vehicle on any public highway or portion thereof on which parking is temporarily prohibited by the Chief of Police or the Director of Works & Utilities under the provisions of Section 8, 9, and 10 of Part II of this Bylaw.

13. Protection of Signs

No person shall deface, injure, knock down, remove, obscure, or interfere with any traffic sign, signal, or street marker erected under the authority of this Bylaw.

14. Authority at Council

- (a) The Council shall have the right at all times to authorize the erection of traffic light signals, traffic signs or any required signs in accordance with the intent and meaning of this section, and to regulate loading time in loading zones on all public highways within the City and to designate playgrounds and recreational areas.
- (b) Council may authorize the establishment of a pedestrian corridor.
 - 1. **'Pedestrian Corridor'** means a crosswalk that has been designed as a pedestrian corridor and that is illuminated and distinctly indicated for pedestrian crossing by:
 - (i) lights and other traffic signals;
 - (ii) lines or other markings on the surface of the roadway.
 - 2. When a vehicle is approaching a pedestrian corridor and is within 30.5 meters thereof, the driver of any other vehicle approaching from the rear shall not overtake and pass such vehicle.
 - 3. All vehicle operators shall stop before entering an occupied pedestrian corridor and shall not proceed until the corridor is unoccupied.

15. Forbidden Signs

No person other than the Director of Works & Utilities or a Police Officer, unless authorized by the Council, shall erect or maintain on any public highway in the City of Melfort any warning or direction sign, marker, signal or light.

16. New Paint Line

No person shall drive or walk on or over a newly painted line on any street where such line is indicated by accepted warning or directional markers or signs.

17. Erection of Signs and Signals

The Director of Works & Utilities is hereby authorized to erect or cause to be erected such signs and signals as he may deem necessary for properly carrying out of the provisions of this Bylaw, or for the proper control of traffic in the City of Melfort.

18. Obedience of Signs

No operator of a vehicle and no pedestrian shall disobey the instructions of any traffic sign or signal unless otherwise directed by a Police Officer.

19. Parades

- (1) No parade shall be held without first obtaining consent from the Council and a permit from the Clerk designating and approving the hour and route of the parade.
- (2) Application for a permit for a parade shall be made in writing to the Clerk,

giving the nature of the parade, the intended route, the number of persons and the vehicles expected to take part, and the time which it is expected will be required for the parade to pass a given point and in addition the applicant is to notify the Chief of Police of the aforesaid matters.

- (3) All applications for permits shall be made to the Clerk and notification given to the Chief of Police far enough ahead of the day of the parade to allow the Chief of Police ample time to arrange for policing the route. The sufficiency of the time allowed shall be at the discretion of the Chief of Police, provided that at least forty-eight (48) hours shall be allowed, unless the Chief of Police agrees to accept shorter notice.
- (4) All parades shall not commence earlier than 10:00 a.m. or continue beyond 10:00 p.m., unless otherwise authorized by Council.
- (5) Any person taking part in or adhering to any parade or procession held or conducted in violation of this Bylaw shall be guilty of an offence and liable to the penalties provided in the same manner as if such person had been in charge of the parade or procession.
- (6) The Chief of Police, the Director or his designate are hereby empowered to barricade and obstruct whatever public highways he deems necessary during the passage of any procession and to divert traffic to whatever public highway it is deemed advisable. During any parade or procession all pedestrians not taking part therein shall be restricted to the use of the sidewalk.
- (7) Except with permission of the Chief of Police, all parades must proceed on the right side of the public highway and not interfere with traffic proceeding from the opposite direction.
- (8) No driver of a vehicle or any pedestrian shall drive, ride or walk, as the case may be, through any parade or procession or in any way, obstruct or interfere with the same, excepting in the case of an emergency.

20. Amendment of Schedules

Any or all schedules to the Bylaw may be amended or substituted from time to time, by Bylaw of the Council of the City of Melfort.

PART III PEDESTRIAN RIGHTS AND DUTIES

21. Obstructing Sidewalk or Roadway

No person shall obstruct the free passage of traffic on any sidewalk or public highway.

22. Street Preaching

Nothing in the preceding section shall be construed as prohibiting the congregation of individuals to attend and listen to street preaching, on any street approved by the Chief of Police, so long as the proceedings thereat are peaceful and orderly, and sufficient space is left both on the sidewalk and the street upon which such preaching takes place, for the peaceful passage of traffic, provided, however, that the preacher and all persons congregated with him shall, upon being requested by a Police Officer to do

so, forthwith move from such public highway.

23. Noise Prohibited

No person shall make any unnecessary noise on any public highway.

24. Pedestrians to Wait on Curb

Pedestrians waiting on a corner for traffic lights to change shall stand on the curb or sidewalk.

25. Use of Streets for Business

- (a) Except as may be authorized by Bylaw or resolution of Council, no person shall engage in, conduct or carry on any business or display any articles for sale on any public highway or sidewalk or boulevard in the City of Melfort.
- (b) No operator or passenger of any vehicle shall solicit business while travelling on a street, nor shall an operator or passenger of any vehicle annoy any person by soliciting business or enticing any person to his vehicle unless licensed to do so by the City.
- (c) The Chief of Police may at his discretion, impound or seize goods and equipment associated with the business for a period of up to 90 days unless the fine and costs of removal and storage are sooner paid

26. Push Carts and Animals

Every person propelling any push cart or riding an animal upon a 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.

27. Provide Name and Address

Any person to whom a violation ticket is being issued under this Bylaw shall furnish the Police Officer issuing the ticket with his name and address, when requested.

PART IV STOPPING STANDING AND PARKING

28. Stopping Prohibited in Specified Places

No operator of a vehicle shall stop 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.

- (a) within an intersection
- (b) on a sidewalk
- (c) on a crosswalk
- (d) on a boulevard or sidewalk, or the area set aside for a boulevard or sidewalk
- (e) within 7.62 meters of the driveway entrance of any fire station
- (f) with its left hand side to the curb
- (g) at any other place where traffic signs prohibit stopping during such times as stopping is so prohibited.

29. Prohibited Parking Areas

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:

- (a) within any alley or lane
- (b) within 3.05 meters of entrance of any alley or lane on all streets where parallel parking is permitted
- (c) within 3.05 meters of a fire hydrant measured parallel to the curb
- (d) obstructing any private driveway
- (e) in any place mentioned in Section 28
- (f) within 6.10 meters from the centre of curb radii at all four corners of an intersection
- (g) anywhere within a fire lane
- (h) where traffic signs have been placed prohibiting parking
- (i) 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 Director of Works & Utilities or City council, shall paint or permit any curb to be so painted
- (j) 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
- (k) no vehicle shall be parked or left standing in such a manner that any portion of the vehicle extends over a sidewalk or sidewalk crossing
- (l) within 3.05 meters on either side of any sidewalk crossing.
- (m) no person shall double park any vehicle upon any public highway in the City.
- (n) no person shall park a vehicle so as to block the exit of any vehicle already parked or in such a manner as to obstruct or interfere with the use of any remaining space therein by others for parking purposes.
- (o) No person shall park any vehicle in such a manner that it is not wholly within one parking stall, in any area of designated parking stalls.

30. Establishment of Restricted Parking Areas

The Director of Works & Utilities may authorize the establishment of 5-minute anytime parking zones, disabled person's parking areas, bus stops, taxicab stands, loading zones and hotel zones, on such public streets in such places and in such numbers as it shall determine to be of the greatest benefit and convenience to the public, and every such 5-minute anytime parking zone, disabled person's parking area, bus stop, taxicab stand, loading zone and hotel zone shall be designated by appropriate signs. All 5-minute anytime parking zones, disabled person's parking areas, loading zones, bus stops, taxicab stands and hotel zones are to be regulated in accordance with the time limits of use, hours of operation and any other restrictions as specified on the signage.

31. Vehicles Prohibited from Parking in Restricted Parking Areas

- (1) No person shall park any vehicle other than a bus in any bus stop, but private automobiles may stop in any bus stop for the purpose of, and while, actually loading and unloading passengers.

- (2) No person shall park any vehicle, other than a taxicab in a taxicab stand, but private automobiles may stop in any taxicab stand for the purpose of, and while actually loading and unloading passengers.
- (3) No person shall park any vehicle in a hotel zone at any time, except that any vehicle may stop in any such area for and while actually loading or unloading passengers or baggage.
- (4) Any areas designated as a loading zone may be used by any vehicle when actually engaged in loading and unloading passengers or merchandise or for a period not to exceed ten (10) minutes.
- (5) No person shall park any vehicle in a Disabled Person's Parking Area other than a vehicle that has been described as a "Disabled Person's Vehicle" in Section 3(1) Subsection (m).

32. Restricted Parking of Motor Vehicles Exceeding 6.7 Meters in Length

No person shall park a motor truck, motor bus or vehicle over one ton, excepting private passenger automobiles, on any public highway in the City:

- (1)
 - (a) with an overall length exceeding 6.7 metres or
 - (b) with an actual weight or gross registered weight over 2,725 kgs (6,008 lbs)
- (2) Subsection 32(1) shall not apply to:
 - (a) the south side of Saskatchewan Avenue from Scotia Street to Alberta Street, and on the south side of Saskatchewan Avenue from Manitoba Street to Broadway Avenue;
 - (b) any public parking lot;
 - (c) to recreation vehicles for the purpose of loading or unloading in any residential district for more than twenty-four (24) hours at any time;
 - (d) trucks and trailers owned by contractors or others carrying out work inside buildings while parked adjacent to a building where its owner is carrying out work and the truck or trailer is carrying equipment or material necessary to the work which cannot be conveniently unloaded and kept otherwise than on the truck. Trucks so included in this subsection shall include moving vans.

33. Parking Limited

With the exception of Sundays, statutory holidays and civic holidays, no person shall park any vehicle on any street or in any parking area for a longer time than allowed by traffic or parking signs erected by the authority of the City.

34. Method of Parking

Except when necessary in obedience to traffic regulations or traffic signs or signals, no operator of a vehicle shall stop, stand, or park, such vehicle in a street other than parallel with the curb, and with the right hand wheels of the vehicle within 38 centimetres of the edge of the curb or travelled portion of the public highway with a clear space of 1.20 meters left ahead of and behind the parked vehicle except where angle parking is permitted.

35. Use of Fire Hydrant Areas

Any vehicle may use the space on a street in front of a fire hydrant for loading or unloading, provided a driver remains at the wheel of the vehicle at all times ready to move the said vehicle when required.

36. Entering and Exiting Parking Areas

No person shall enter or leave a parking area in any other manner than as indicated by signs posted in the said area, nor park a vehicle otherwise than indicated on signs erected in the said parking area.

37. Maximum Parking - 48 Hours

No vehicle shall be parked on any street or avenue in the City for an uninterrupted period of time longer than forty-eight (48) hours. Any vehicle parked for an uninterrupted period of time longer than forty-eight (48) hours on any street, except as otherwise indicated by a sign or otherwise provided for in this Bylaw, may be hauled away at the expense of the owner thereof.

38. Parking of Unattached Trailer or Semi-Trailer

No person shall leave a trailer or semi-trailer parked on a public street which is unattached from the vehicle used for moving same, excepting City-owned equipment, or private trailers not exceeding 6.10 meters in length in residential areas only. Time limit on the exceptions provided shall not exceed 48 hours.

39. Parking of Vehicle Hauling Hazardous/Obnoxious Substance

Any vehicle used for the purpose of hauling hazardous or obnoxious substances shall not be parked on a public highway for a period exceeding 4 hours except for the purpose of loading or unloading.

40. Application for taxi stand stalls

- (1) The operator of any taxicab who wishes to have a parking place designated as a taxicab stand shall make application to the City Clerk annually designating the stall or stalls, and depositing with the City Clerk the required fees fixed by Council.
- (2) The City Clerk shall submit all applications to City Council.
- (3) If the City Council approves the application, proper signs shall be erected by the City at the expense of the Applicant, designating such space as a taxicab stand.

41. Parking of Unlicensed Vehicles

No motor vehicle shall be parked on a public highway unless it is displaying license plates for the current year.

42. No Immobilized Vehicles on Highway

No person shall leave any vehicle unattended for more than three (3) hours on any public highway if the vehicle has been placed on a jack or jacks and one or more wheels have been removed from it or part of the vehicle has been raised.

43. 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 City 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.

44. General Standing Prohibitions

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open upon a side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

45. Vehicle Repairs

Vehicle repairs including changing of tires shall not be made on any public highway unless in the case of emergency repair.

46. Leave any Vehicle, Thrown Glass

- (1) No person shall, either himself or through another person, leave any vehicle or anything that might directly or indirectly encumber, obstruct, injure, or foul any street, lane, sidewalk, road, bridge, ditch, gutter, drain or sewer in the City of Melfort.
- (2) No person shall throw glass or debris on any street, playground, sidewalk, boulevard or parking lot.

PART V - RULES FOR DRIVING

47. Backing

- (1) No person shall back a vehicle around a corner at any time.
- (2) No person shall back a vehicle along any street except when reasonably necessary in entering or leaving a parking space.
- (3) An operator of a vehicle or bus, before backing, shall give ample warning of his intention to do so and shall not back unless such movement can be made without interfering with other traffic.

48. Weather Conditions Affecting Streets

When water, mud or slush is laying on any public highway the driver of every vehicle thereon shall so reduce the speed of his vehicle to avoid splashing any pedestrian using the sidewalk or within the boundary of the public highway.

49. U-Turns

No operator of any vehicle shall turn such vehicle so as to proceed or face in the opposite direction except at a street intersection or street end, and "street" in this Subsection shall not include any alley and/or lane. No operator of any vehicle shall turn such vehicle so as to proceed or face in the opposite direction at any street intersection where there is displayed a sign indicating no U-Turn. At any highway intersection where a U-Turn is permitted, every driver of a vehicle shall yield the right-of-way to all other vehicles within the intersection or approaching the intersection.

50. Traffic not to be Obstructed

No person shall operate a vehicle or allow a vehicle to remain upon any public highway so as to be an unreasonable obstruction to the traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this Section provided he promptly takes measures to clear the faulty vehicle from the Highway.

51. Stopping when Traffic Obstructed

Notwithstanding any traffic signal indication to proceed, no operator of a vehicle shall 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 traffic.

52. Vehicle Backed to Curb

No driver of a vehicle, semi-trailer or trailer combination shall stand the vehicle backed up to the curb except while actually loading or unloading, and if the vehicle is a semi-trailer or trailer combination, the motor vehicle or truck tractor unit thereof must stand parallel to the curb and faced in the direction of the going traffic, but no vehicle shall stand so backed up that it obstructs the free passage of traffic lawfully using the public highway.

53. 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.

54. Speed Limit

- (1) With the exception of Fire Department vehicles, Police Patrols and ambulances operating sirens and/or red warning lights when on duty or in cases of emergency, no person shall operate a motor vehicle within the corporate limits of the City of Melfort at a greater speed than the speed limits set forth in Schedule "A".
- (2) Notwithstanding Subsection 54(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.

55. Emergency Vehicles

An operator of a vehicle shall not follow any fire engine, ambulance, or other emergency vehicle at a distance of less than 30 meters when such apparatus is responding to an alarm and/or when using a flashing light or siren.

56. Crossing Fire Hose

No operator of a vehicle shall permit such vehicle to cross over or interfere with any fire hose.

57. Riding or Driving on Sidewalk Prohibited Except with Permission of Director

No person shall ride, drive, or back any vehicle along or across any sidewalk, or curb, gutter, or boulevard, except at a regular sidewalk crossing or public highway intersection, unless with the written permission of the Director of Works & Utilities.

58. Funeral Processions

All vehicles in a funeral procession shall have their headlights on irrespective of the time of day.

PART VI- REGULATIONS RESPECTING OPERATION OF BICYCLES, MOTORCYCLES AND SKATEBOARDS, SLEDS, COASTERS OR SIMILAR DEVICES

59(1) Bicycle and Motorcycle Regulations

- (a) Every person when operating a bicycle or motorcycle upon any public highway in company with other bicycle or motorcycle operators shall so operate or ride the same as to proceed with said operators in single or double file.
- (b) No more than one person shall ride upon any bicycle propelled by muscular power upon any public highway except a bicycle built for two, and no person shall ride upon any motorcycle other than upon a seat attached to said vehicle.
- (c) A rider of a bicycle or motorcycle shall not remove both hands from the handle bars at the same time, or both his feet from the pedals at the same time, nor shall he practise any acrobatics or fancy riding on any public highway.
- (d) No person shall ride a bicycle or motorcycle upon a sidewalk or boulevard, but may ride over an approach or sidewalk crossing.
- (e) Every person riding a bicycle shall ride as close as possible to the right hand curb or to any person who may be riding a bicycle on his right side, but this shall not apply when the rider is approaching an intersection and indicating his intention to turn from a direct lane by giving a visible signal.
- (f) Every bicycle when operated upon a public highway shall be equipped with a brake adequate to control the movement of and to stop such bicycle whenever

necessary. Such brake shall be maintained in efficient working condition at all times.

- (g) No person shall, exclusive of his own body weight, carry on a bicycle a load of a greater weight than 110 kilograms, nor shall such load extend to a greater width than 46 centimetres on either side of the centre line of the bicycle, nor to such a height as to obstruct the clear vision in all directions of the operator of the bicycle, when seated on the seat of the bicycle.
- (h) An operator of a bicycle or motorcycle upon a street shall not tow or drag any person on roller skates, skate boards, skis, or toboggan nor any coaster sled, child's wagon or any other vehicle nor shall any such operator wheel another such vehicle along the side of the vehicle so operated by him.

59(2) Skateboard Regulations

Unless otherwise authorized by City Council, no person shall skateboard on a street, sidewalk or public place within the restricted area outlined in Schedule "B".

59(3) Use of Sleds, Coasters or Similar Devices

- (a) No person shall coast or ride down hill on a sled, toboggan, skis, or other similar devices on a public highway; and further, no person shall use a public highway as a playground except as authorized by resolution of Council, provided, however, that nothing in this paragraph shall prevent a person from pulling a sleigh on which a person is riding.
- (b) A Police Officer may at his discretion impound or cause to be impounded any bicycle, skateboard, sled, coaster or similar device and waive the penalty set forth in Schedule "E" as follows:
 - (i) for any offence under Section 59(1) (a) to (h) inclusive or Section 59 (2), (3) of this Bylaw for a period up to but not exceeding seven (7) days.

PART VII - VEHICLES ON PUBLIC RESERVES

60. Vehicles on Public Reserves

- (1) Except as may be authorized by any other bylaw of the City of Melfort, no person may operate or park a vehicle, recreation vehicle, or all-terrain vehicle on any of the following areas:
 - (a) Public Parks
 - (b) Public Playgrounds
 - (c) Public Development Property
 - (d) Easements
 - (e) Boulevards
 - (f) Any Portion of a Municipal Road Allowance not defined as a Highway in **The Traffic Safety Act.**
 - (g) Public Reserves
 - (h) Agricultural Society Grounds
- (2) The provisions of Subsection (1) shall not apply to maintenance vehicles or

authorized vehicles using a designated parking area.

- (3) Golf carts shall be allowed only on the property designated as the Melfort Golf Course.

PART VIII - REGULATIONS RESPECTING EQUIPMENT AND STREET OBSTRUCTION

61. Heavy Machinery, Vehicles with Spikes, etc.

No person shall drive on any of the highways any vehicle having metal spikes, lugs or cleats projecting from the face of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread, nor shall any heavy machinery or tractor of such weight or so equipped as might cause damage to the highways, be moved, conveyed, or operated on the highways, until a permit to do so has been first obtained from the Director of Works & Utilities, such Permit may be granted on application in writing, in which the route to be taken, the weight and nature of the vehicle or machinery and such other further information as the Director of Works & Utilities may require shall be set forth, and the applicant shall therein agree to pay all the damages caused to the highways as a result of the operation and conveyance or movement of such vehicle or machinery, and shall forthwith furnish to the Council such security for such amounts as shall be required by the Council, and which said security must be in every way satisfactory to the Council.

62. Size of Loads

No person shall permit a load exceeding in width 2600 mm or in height 4100 mm or in length 19.8 metres, except City owned equipment, to be moved over any public highway unless authorized by a special permit issued by the Director of Works & Utilities pursuant to this or any other Bylaw of the City except hay, straw, or fodder carried on a vehicle other than a motor vehicle which may have a width of 3 metres. This provision does not apply to those areas of City subject to regulations under The Highways Act.

63. Conduct of Vehicle

No person shall drive or conduct a vehicle in such condition or so loaded as to be likely to cause unnecessary delay in traffic, or accident or injury to the person or property.

64. Rubbish on Streets

All material of any kind being transported over any public highway must be transported in such a manner and in such containers that no part of the material while in transit, shall find its way to the surface of the public highway. Should any material be spilt upon the public highway, it shall immediately be removed by the person in charge of said material; so that the public highway shall be in as clean and usable state as before the material was spilt. The owner of any vehicle shall be responsible for any violation of this section.

PART IX - TRUCK REGULATIONS

65. Heavy Vehicle Route, Weight Restrictions, Etc.

- (1) Council may, by resolution, designate certain public highways within the boundaries of the City of Melfort as heavy vehicle routes.
- (2) The public highways set out in Schedule "C" hereof are hereby designated as heavy vehicle routes and the erection of signs for the said streets is hereby authorized.
- (3) On all public highways designated as heavy vehicle routes, the maximum gross weight permitted, including the weight of the vehicle, on the road surface shall not exceed the following, namely:

(i)	for a two axle truck or a two axle passenger carrying motor vehicle	12,700 kg
(ii)	for a three axle truck or a three axle passenger carrying motor vehicle	19,050 kg
(iii)	for a four axle truck	25,400 kg
(iv)	for any semi trailer unit or combination of vehicles other than those included in clauses (i), (ii), and (iii)	33,550 kg
(v)	for any other vehicle other than those referred to in clauses (i), (ii), (iii) or (iv) and for any building, object or contrivance	9,075 kg
- (4) A person shall not drive or tow across the steel bridge located on Star City Street 250 m north of McDonald Avenue, a vehicle that has a gross vehicle weight exceeding 14 tonnes (14,000 kg).
- (5) The maximum weight permitted, including the weight of the vehicle, on the road surface, other than a heavy vehicle route shall not exceed 5,450 kg.
- (6) The driver of every truck exceeding the weight restrictions outlined in subsection (4) shall follow the marked "Heavy Vehicle Route". The driver of any truck or other vehicle in excess of the weight restrictions outlined in subsection (1) found travelling on any street or avenue other than those designated as the "Heavy Vehicle Route" shall be in violation of the Bylaw excepting in those cases where a truck or other vehicle is required to leave the heavy vehicle route for the purpose of pick-up or delivery in which case the driver shall do so by the most direct route to the consignee or shipper and shall return to the heavy vehicle route by the most direct route.
- (7) Whenever it shall be necessary to transport a single article which cannot be divided, and which exceeds the weight restrictions set out in Subsection (3) or exceeds 20 meters total length over the streets or alleys of the City, the same shall be done only after issuance of a special permit for a single trip with the load so to be transported. The Director of Works & Utilities is hereby authorized upon application to grant such special permit which shall be in writing for the moving of any such heavy single article, which cannot be divided, provided that the person, firm or corporation making such application may be required to furnish a bond or an amount to be fixed by the City Clerk payable to the City and conditioned so as to save the City harmless from any claim, loss or damage that may result from the granting of such permit, or that may arise from or on account of any work done thereunder and further condition that the grantee shall restore at his own cost to a condition satisfactory to the Director of Works & Utilities any pavement, subway, tunnel, sewer pipe, conduit, or other property that may be injured by reason of the

transportation of such article under such permit and the Director of Works & Utilities in granting such permit shall, whenever it may appear to him necessary to do so, in order to protect the pavement of the City or to prevent obstruction to traffic, limit the said permit as to time and particular street or streets to be used and impose such other special condition as may in his opinion tend to prevent injury, or damage to the City or its property.

- (8) Whenever a freight-carrying vehicle passing over any street or alley of the City is found to be operating in violation of the provisions of this Section, such vehicle shall not be permitted to proceed further until the excess load is reduced or permit secured to comply with the provisions of this Section.
- (9) In any prosecution for a violation of the provisions of this section the onus of proof shall be on the accused.
- (10) A Police Officer or Police Constable having reason to believe that the gross weight of a vehicle and its load is in excess of the maximum gross weight prescribed by this Bylaw may weigh the same by means of a portable scale or may require the person in charge of the vehicle to take the vehicle to the nearest stationary scale.
- (11) The provisions of this Section shall not apply to any persons operating a heavy vehicle owned by the City of Melfort while actually in use in the service of the City.
- (12) This Section shall not apply in the case of any vehicle owned or hired by the City, or which is owned or hired by any person who is carrying out a contract or contracts within the City for the purpose of any Public Works of the City provided however, that in the latter case such vehicle must be actually used in connection with such Public Works or works.

66. Dangerous Goods Route

- (1) Council may, by resolution, designate certain portions of the heavy vehicle routes, as set out in Schedule "C", as dangerous goods routes.
- (2) The public highways, as indicated in Schedule "D" are hereby designated for the transportation of dangerous goods.

PART X - PENALTIES

67. Persons Complying to Bylaw

A 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 penalties herein provided for.

68. Owner of Motor Vehicle

The owner of a motor 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 motor 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, express or implied.

69. Removal of Vehicles

- (1) A police officer may, without warrant, seize any vehicle that, in his opinion, is:
 - (a) being operated in violation of this Bylaw.
 - (b) parked contrary to the provisions of this Bylaw.
- (2) Any police officer, or any other person authorized by the Director of Works & Utilities, may move or remove or cause to be moved or removed any vehicle that is unlawfully parked, placed, left or kept on any public highway, public parking place, other public place or municipally owned property.
- (3) Any vehicle removed pursuant to subsections (1) or (2):
 - (a) Shall be impounded and stored at a site designated by the seizing officer, at the cost of the owner for a period of thirty (30) days after the date of removal of the vehicle unless the costs of removal, impoundment and storage and any outstanding fines are sooner paid.
 - (b) May be released to the owner on payment of the cost of removal, impoundment and storage and any outstanding fines within thirty (30) days after the date of the removal of the vehicle.
- (4) If the vehicle is not redeemed within thirty (30) days, pursuant to clause 3(b):
 - (a) The vehicle shall be dealt with as lost or unclaimed personal property.
 - (b) The City shall have the right to recover from the owner of the vehicle the cost of removal, impoundment and storage, including the actual cost of advertising, by:
 - (i) Action in a court of competent jurisdiction.
 - (ii) Sale of the vehicle at public auction.
 - (iii) By private sale of the vehicle where the vehicle cannot be disposed of at the public auction.
- (5) The expenses mentioned in Subsection (3)(b) are a lien upon the vehicle seized and if the owner of the vehicle cannot be found after advertising in the local newspaper for 2 consecutive weeks or if he fails to pay the expenses within fourteen (14) days after the day on which a notice requiring him to do so has been served on him or sent to him by registered mail, the vehicle may be sold as described in Subsection (4)(b) for the purpose of recovering the expenses.

70. Sub-Heading for Convenience

All sub-headings in any way relating to any clause, section paragraph or provision of this Bylaw are not and shall not be any part of this Bylaw, the said sub-headings being included herein for the purpose of reference and convenience only.

71. Penalty

- (1) A person who contravenes any provision of this Bylaw is guilty of an offence.
- (2) The penalty for breach of any provisions of this Bylaw shall be those set out in Schedule "E" to this Bylaw.

- (3) Notwithstanding any other provisions of the Bylaw, the owner of any vehicle shall be liable for a violation of any provision of this Bylaw, as well as the person who committed the breach, unless the owner proves to the satisfaction of the judge or justice of the peace trying the case that, at the time of the breach, the vehicle had been stolen from him or taken, without his consent express or implied, out of his possession or out of the possession of a person entrusted by him with its care.
- (4) The Court may, in default of payment of a fine imposed under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

72. Penalty for Overweight Vehicles

Notwithstanding the provisions of Section 71 to the contrary, any person who violates Section 65 hereof is guilty of an offence and liable to summary conviction to a fine of not less than One Hundred (\$100.00) Dollars plus Two (\$2.00) Dollar for each forty-five kilograms (45 kg) or fraction thereof by which the actual gross weight exceeds four hundred and fifty-five kilograms (455 kg) more than the prescribed maximum gross weight and in default of payment, to imprisonment for a term not exceeding one year.

73. Repeal of Former Bylaws

Bylaw No. 2007-06 of the City of Melfort is hereby repealed.

74. Coming Into Force

This bylaw shall come into force on the date of the final passing thereof.

INTRODUCED AND READ a first time this 16th day of July, 2007.

READ A SECOND TIME this 16th day of July, 2007.

READ A THIRD TIME and passed this 16th day of July, 2007.

Mayor

City Clerk

SEAL

CERTIFIED a true copy of Bylaw No. 2007-21,
adopted by Resolution of Council on the 16th day
of July, 2007.

City Clerk

SCHEDULE "A" - MAXIMUM SPEEDS
(as provided for in Section 54)

- 1. 30 km/h**
 - a) In any posted school or playground speed zone between the hours of 8:00 a.m. and 10:00 p.m.
 - b) In the Mount Pleasant Cemetery.
 - c) Within the boundaries of the Provincial Weigh Scale.

- 2. 40 km/h**
 - a) On all roadways of the City of Melfort not otherwise provided for.

- 3. 50 km/h**
 - a) Saskatchewan Drive, from 43 m south of the north intersection of the east and west service roads on Saskatchewan Drive South, continuing north then west to Quebec Street.
 - b) Shadd Drive from the junction of Saskatchewan Drive to the junction of McDonald Avenue.
 - c) McDonald Avenue from the most easterly City limit to 500 m west of Broadway Avenue North.
 - d) Melfort Street, from 118 m west of 7th Avenue to the most westerly limits of the City.
 - e) Three service roads running parallel to Saskatchewan Drive South.
 - f) Spruce Haven Road, from 730 m east of Saskatchewan Drive to Reservoir Drive.

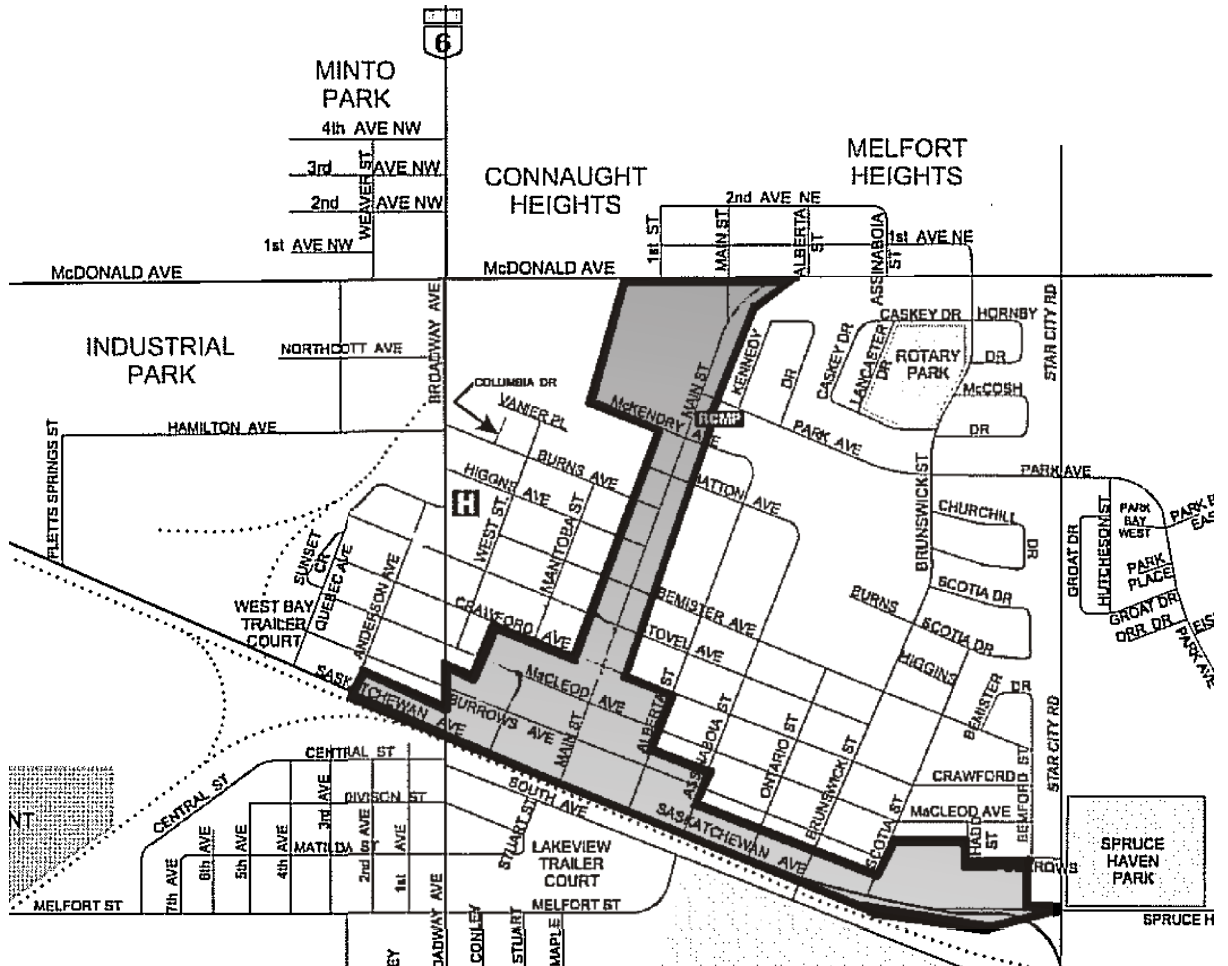
- 4. 70 km/h**
 - a) Broadway Avenue North from 120 m north of Burns Avenue West to 400 m north of McDonald Avenue.
 - b) Saskatchewan Drive West from Quebec Street to Flett's Springs Street.
 - c) McDonald Avenue from 500 m west of Broadway Avenue North to the most westerly city limit.

- 5. 80 km/h**
 - a) Provincial Highway No. 3, from the intersection of Saskatchewan Drive South and Highway No. 41, east 540 m.
 - b) Saskatchewan Drive South, from the most southerly city limit to 1600 m north.
 - c) Provincial Highway No. 41, from the intersection of Saskatchewan Drive South to 700 m west.

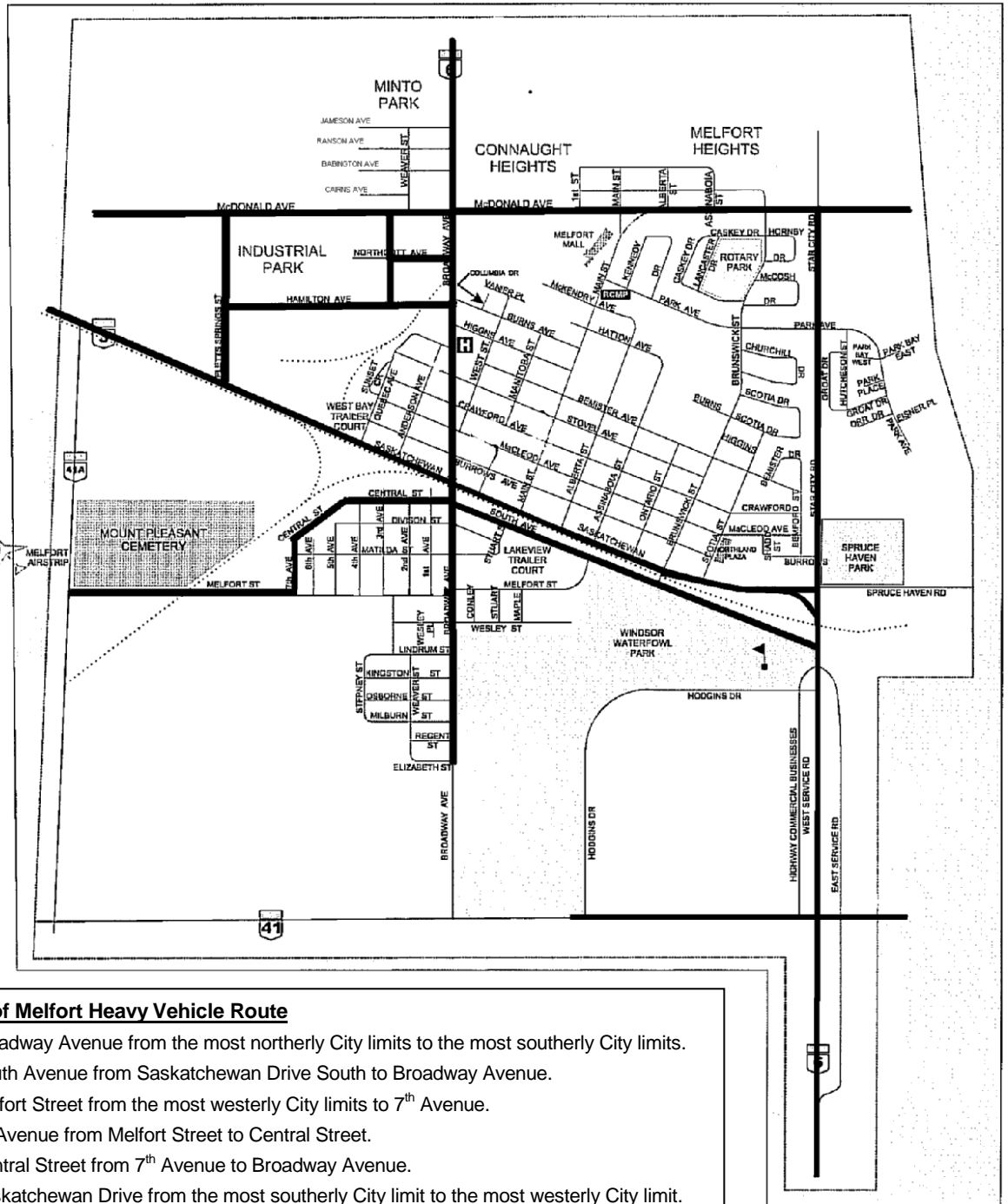
- 6. 100 km/h**
 - a) Provincial Highway No. 41 from 700 m west of Saskatchewan Drive South to the most westerly city limit.
 - b) Provincial Highway No. 6 from 400 m north of McDonald Avenue to the most northerly city limit.
 - c) Saskatchewan Drive West from Flett's Springs Street to the most westerly city limit.
 - d) Provincial Highway No. 3 from 540 m east of the intersection of Saskatchewan Drive South and Highway No. 41, to the most easterly city limit.

SCHEDULE "B" – SKATEBOARD SITE MAP
 (as provided for in Section 59{2})

The shaded area indicates the restricted area.



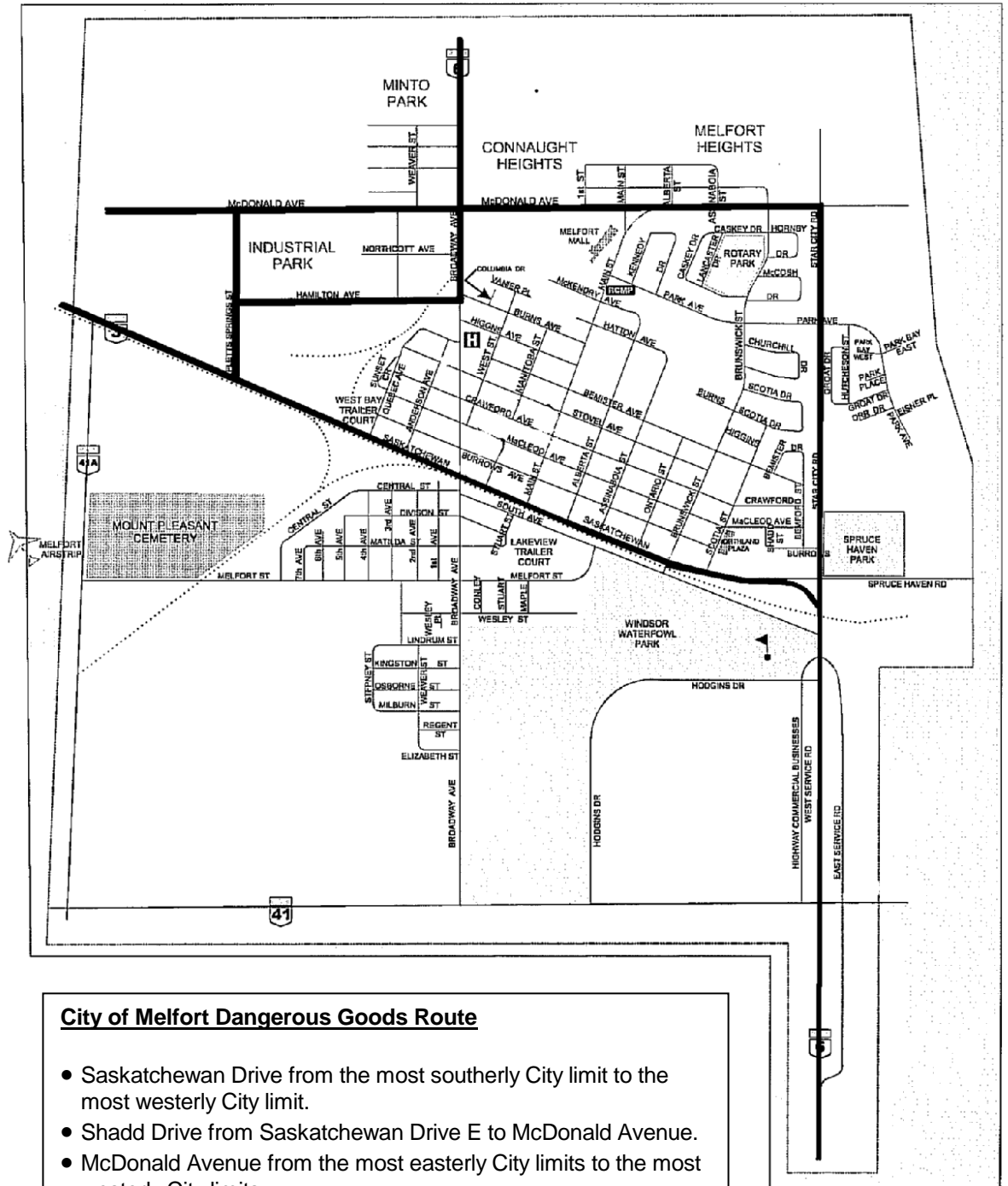
**SCHEDULE "C" - HEAVY VEHICLE ROUTE
(as provided for in Section 65)**



City of Melfort Heavy Vehicle Route

- Broadway Avenue from the most northerly City limits to the most southerly City limits.
- South Avenue from Saskatchewan Drive South to Broadway Avenue.
- Melfort Street from the most westerly City limits to 7th Avenue.
- 7th Avenue from Melfort Street to Central Street.
- Central Street from 7th Avenue to Broadway Avenue.
- Saskatchewan Drive from the most southerly City limit to the most westerly City limit.
- McDonald Avenue from the most easterly City limits to the most westerly City limits.
- Spruce Haven Road from Saskatchewan Drive East to Shadd Drive.
- Shadd Drive from Saskatchewan Drive East to McDonald Avenue.
- Flett's Spring Street from Saskatchewan Drive West to McDonald Avenue.
- Hamilton Avenue from Broadway Avenue to Flett's Springs Street.
- Northcott Avenue from Broadway Avenue to 100 metres west of Charles Street.
- Charles Street from Hamilton Avenue to McDonald Avenue.
- East and West Service Roads that run parallel to Saskatchewan Drive South.

**SCHEDULE "D" – DANGEROUS GOODS ROUTE
(as provided for in Section 65)**



City of Melfort Dangerous Goods Route

- Saskatchewan Drive from the most southerly City limit to the most westerly City limit.
- Shadd Drive from Saskatchewan Drive E to McDonald Avenue.
- McDonald Avenue from the most easterly City limits to the most westerly City limits.
- Flett's Springs Street from Saskatchewan Drive W to McDonald Avenue.
- Hamilton Avenue from Flett's Springs Street to Broadway Avenue.
- Broadway Avenue from Saskatchewan Drive W to the most northerly City limits.

SCHEDULE “E” – OFFENCES & PENALTIES

1. Summary of Offences

SEC NO.	OFFENCE	PENALTY	PENALTY IF PAID WITHIN 14 DAYS
6	Disobey Police Officer	\$60.00	\$30.00
11	Streets Closed to Traffic	\$50.00	\$25.00
12	Streets Closed to Public	\$50.00	\$25.00
13	Protection of Signs	\$120.00	\$60.00
14	Pedestrian Corridor	\$60.00	\$30.00
18	Obedience of signs	\$60.00	\$30.00
21	Obstructing sidewalk or roadway	\$60.00	\$30.00
23	Noise prohibited	\$60.00	\$30.00
24	Pedestrians to wait on curb	\$60.00	\$30.00
25	Use of street for business	\$330.00	\$330.00
27	Provide name and address	\$60.00	\$30.00
28	Stopping prohibited	\$60.00	\$30.00
29	Prohibited Parking Areas	\$100.00	\$50.00
31(1)-(4)	Restricted Parking Areas	\$60.00	\$30.00
31(5)	Restricted Parking Areas – disabled person's parking area	\$100.00	\$50.00
32	Parking motor vehicles exceeding 6.1 meters	\$60.00	\$30.00
33	Parking time limited	\$60.00	\$30.00
34	Method of parking	\$60.00	\$30.00
35	Use of fire hydrant area	\$100.00	\$50.00
36	Entering and exiting parking areas	\$60.00	\$30.00
37	Parking over 48 hours	\$60.00	\$30.00
38	Unattached trailer or semi trailer parked	\$60.00	\$30.00
39	Parking of vehicle hauling hazardous/obnoxious substances	\$60.00	\$30.00
41	Parking unlicensed vehicles	\$60.00	\$30.00
42	Immobilized vehicles on highway	\$60.00	\$30.00
43	Chalk Marks	\$30.00	\$30.00
44	General standing prohibitions	\$60.00	\$30.00
45	Parking vehicles for repair	\$60.00	\$30.00
46	Throwing glass, debris, etc on streets	\$60.00	\$30.00
47	Backing of a vehicle or bus	\$60.00	\$30.00
48	Splashing pedestrians	\$60.00	\$30.00
49	No U-turns	\$60.00	\$30.00
50	Obstructing traffic	\$60.00	\$30.00
51	Stopping when traffic obstructed	\$60.00	\$30.00
52	Backing up to curb	\$60.00	\$30.00
53	Deliveries in lane or alley	\$60.00	\$30.00
54	Speeding	As set out in <i>The Summary Offences Procedure Regulations, 1991</i>	As set out in <i>The Summary Offences Procedure Regulations, 1991</i>
55	Following emergency vehicles	\$60.00	\$30.00
56	Crossing fire hose	\$170.00	\$85.00
57	Riding or driving on sidewalk, curb, etc	\$120.00	\$60.00
59	Bicycles, motor cycles, sled, toboggans, etc	\$60.00	\$30.00
60	Vehicles on Public Reserves	\$60.00	\$30.00
61	Heavy machinery with spikes	\$500.00	\$500.00
64	Insecure load	\$60.00	\$30.00
65	Heavy vehicle route & weight	\$100.00	\$100.00
69	Removal of Vehicles – impoundment fee	\$10.00 per day	\$10.00 per day

2. Procedure for Notice of Violation

- (1) Where a person commits or is alleged to have committed an offence for which a fixed penalty is listed in Section 1 of this Schedule, a police officer, a Bylaw Enforcement Officer or the Building & Fire Inspector for the City of Melfort, shall give to such person or attach to that person's vehicle in such a manner that is visible to the operator of the vehicle, a Notice of Violation. The Notice of Violation may be a pre-printed form or a form generated electronically through hand-held meter reading devices. In either case, the Notice of Violation shall be substantially in the form shown in Schedule "F", or in such other form as may from time to time be approved by the City of Melfort.
- (2) If payment of the penalty is made within 14 calendar days or where the penalty is mailed and postmarked by Canada Post within 14 calendar days of the date of the Notice of Violation, then:
 - a) The operator or owner of the vehicle shall not be liable to prosecution for the violation indicated on the Notice of Violation.
 - b) The amount of the penalty shall be the amount shown in the Penalty If Paid Within 14 Days column.
 - c) If no discounted penalty amount is shown for the offence, the amount of the penalty shall be the amount shown in the Penalty column.
- (3) Where a receipt is required, payment of the penalty shall be made to the cashier in City Hall at 202 Burrows Avenue West during regular office hours, or alternatively, where no receipt is required, payment may be made in the outdoor depository located at the main entrance to City Hall, or by mailing the exact amount of the penalty to City Hall, Box 2230, Melfort, SK S0E 1A0.
- (4) If payment of the amount specified on the Notice of Violation is not made on or before the date indicated on the Notice of Violation, a police officer, a Bylaw Enforcement Officer or any other person authorized by the City Manager shall lay an information under oath as to the offence before a Justice of the Peace for the purpose of obtaining a Summons.
- (5) The information referred to in subsection (4) above shall be in the form or substantially in the form of Schedule "G".
- (6) The Summons shall be in the form or substantially in the form of Schedule "H" and shall provide for the voluntary payment of a penalty in the amount set forth in the column entitled "Penalty" in Schedule "E". The Summons shall be served by a Police Officer or other authorized person.
- (7) Voluntary payment of a penalty specified in a Summons shall be made on or before the date indicated on the Summons, in accordance with the penalty payment procedure outlined in subsection (3) above.
- (8) If payment of the amount specified on the Summons is made on or before the date indicated on the Summons, the person alleged to have committed an offence shall not be liable to prosecution for the offence indicated.
- (9) If payment of the amount specified on the Summons is not made on or before

the date indicated on the Summons, the person to whom the Summons has been issued shall be liable to prosecution of the alleged contravention of the Bylaw.

- (10) Nothing in this section shall be construed to prevent any person from exercising his or her right to defend a charge of contravention of any provision of this Bylaw.

3. Penalties not Otherwise Provided For

Subject to Section 3 of this Schedule, a person guilty of a breach of any of the provisions of this Bylaw for which no specific penalty has been provided in the foregoing provisions of Section 1 (entitled "Summary of Offences") of this Schedule, or in *The Traffic Safety Act* of the Province of Saskatchewan or *Regulations* made pursuant to that Act, shall be liable on summary conviction to a penalty of not less than \$15.00 and not more than:

- a) \$2,000.00 in the case of an individual; and
- b) \$5,000.00 in the case of a corporation.

SCHEDULE "F" - NOTICE OF VIOLATION



**VIOLATION
NOTICE**

Ticket No. _____

Name _____

Address _____

Vehicle License # _____ Prov. _____

Make/Model _____

Date _____ Time _____ A.M. P.M.

Location _____

TYPE OF OFFENCE

This Violation Notice is issued for a breach of the following bylaw:

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Traffic Bylaw | <input type="checkbox"/> Dog Bylaw |
| <input type="checkbox"/> Licensing Bylaw | <input type="checkbox"/> Zoning Bylaw |
| <input type="checkbox"/> Waste Bylaw | <input type="checkbox"/> Other |

Bylaw # _____ Section _____

Description of Offense: _____

Penalty: \$ _____ Payment must be made within 30 calendar days of date of issue. If payment is made within fourteen calendar days of issue, the penalty is \$ _____.

Issued By _____

Payment may be made in person at Melfort City Hall (202 Burrows Avenue West) weekdays between the hours of 8:00 A.M. and 4:30 P.M. or by mail to:
City of Melfort, Box 2230, Melfort, Sask., S0E 1A0

SCHEDULE "G" - INFORMATION

INFORMATION

Information No.

Ticket No.

Canada }
Province of Saskatchewan } **ON BEHALF OF HER MAJESTY THE QUEEN**
Provincial Court, City of Melfort }

THIS IS THE INFORMATION OF

_____, Bylaw Enforcement Officer

(hereinafter called the Informant). The informant says that he/she has reasonable and probable grounds to believe and does believe that:

, Birth Date - did;

on or about the _____ day of _____ A.D. _____ at the City of Melfort, in the Province of Saskatchewan, commit the following offence:

contrary to the provisions of the _____, being Bylaw _____ of the said City of Melfort.

AND FURTHER the Informant says that a Notice of Violation for the above captioned offence was issued and that no payment has been received in accordance with the instructions contained in the said Notice.

SWORN BEFORE ME this _____ day of _____
A.D. _____, at Melfort in the Province of Saskatchewan.

Signature of Informant

A JUSTICE OF THE PEACE IN AND FOR
THE PROVINCE OF SASKATCHEWAN

SCHEDULE "H" - SUMMONS

**SUMMONS TO A PERSON
CHARGED WITH A VIOLATION**

Ticket No. _____

Canada }
Province of Saskatchewan } **ON BEHALF OF HER MAJESTY THE QUEEN**
Provincial Court, City of Melfort }

TO _____ Date of Birth: (YYYY-MM-DD) _____

WHEREAS YOU HAVE THIS DAY BEEN CHARGED BEFORE ME THAT, on or about the _____ day of _____, A.D. _____ at the City of Melfort, in the Province of Saskatchewan, you did commit the following offence:

contrary to the provisions of the _____ of the said City of Melfort.

AND WHEREAS a Notice of Violation for the above captioned offence was issued and our records indicate that no payment has been received in accordance with the instructions contained in the said Notice.

IF VOLUNTARY PAYMENT IN THE AMOUNT OF _____ IS NOT RECEIVED ON OUR BEFORE (YYYY-MM-DD), YOU ARE COMMANDED, IN HER MAJESTY'S NAME:

- (1) to appear before the presiding judge of **The Provincial Court of Saskatchewan at 105 Crawford Avenue East**, Melfort, Saskatchewan on the _____ day of _____ A.D. _____, at o'clock in the _____ (Melfort Time) or before any justice for the said Province who is there, and to attend thereafter as required by the Court in order to be dealt with according to law; and

YOU ARE WARNED THAT FAILURE WITHOUT LAWFUL EXCUSE TO ATTEND COURT IN ACCORDANCE WITH THIS SUMMONS IS AN OFFENCE UNDER SUBSECTION 24(1)(a) OF THE SUMMARY OFFENCES PROCEDURE ACT, 1990 AND A WARRANT FOR YOUR ARREST MAY BE ISSUED.

DATED this _____ day of _____ A.D. _____, at Melfort in the Province of Saskatchewan.

A JUSTICE OF THE PEACE IN AND FOR THE
PROVINCE OF SASKATCHEWAN

SUBMIT THIS STUB WITH PAYMENT

Payment Instructions on the Back

Ticket No. _____

Payment to:
The City of Melfort
City Hall – 202 Burrows Avenue West
P. O. Box 2230
Melfort, Saskatchewan S0E 1A0

SCHEDULE "H" (continued)

SUMMONS TO A PERSON CHARGED WITH A VIOLATION

PAYMENT INSTRUCTIONS

1. Payment may be made in person at Melfort City Hall, 202 Burrows Avenue West, during normal business hours.
2. Payment may also be made by mailing this Summons, together with the exact amount of the penalty specified therein for voluntary payment, to the following address:

The City of Melfort
PO Box 2230
Melfort, SK S0E 1A0
3. Payment must be received prior to the date specified in the summons. Voluntary payment can not, and will not, be accepted after the date specified for voluntary payment. If you choose to send your payment by mail, it is your responsibility to ensure that your payment is posted in sufficient time to be received prior to the date specified.
4. Avoid prosecution by paying promptly. If payment is not received by the City of Melfort in accordance with the instructions contained herein, a mandatory court appearance is required at the time and place specified herein.
5. You are warned that failure, without lawful excuse, to attend court in accordance with this summons is an offence under subsection 24(1)(a) of *The Summary Offences Procedure Act, 1990*.
6. For inquiries, please contact the City of Melfort at 752-5911.