

TOWN OF THE PAS

BY-LAW NO. 2265

BEING A BY-LAW OF THE TOWN OF THE PAS FOR THE REGULATION OF TRAFFIC AND PARKING.

The Municipal Council for The Town of The Pas in Council assembled, enacts as follows:

1. SHORT TITLE

This by-law may be referred to as "The Town of The Pas Traffic By-law."

2. INTERPRETATION

- (1) Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in this by-law have the same meaning as the same words and expressions in The Highway Traffic Act of the Province of Manitoba:
- (2) In this by-law:
 - (a) "Approach, driveway, or sidewalk crossing" means that portion of the sidewalk or boulevard lawfully improved or designed for the passage of vehicular traffic;
 - (b) "Bicycle" means a device propelled by human power upon which any person may ride; that is, two tandem wheels either of which is more than twenty inches in diameter and includes a device so propelled that may be so ridden and that is three wheels each of which is more than twenty inches in diameter;
 - (c) "Commercial truck" means any truck not a public service vehicle except:
 - (i) A truck operated by or on behalf of government or a municipality, school board, or other public body;
 - (ii) A farm truck;
 - (iii) A truck used for transporting gravel, sand or other material for use in the construction or maintenance of a public highway;
 - (d) "Crosswalk" means:
 - (i) that part of a highway in an intersection distinctly indicated for pedes-

*P/C - Transport & Maintenance
H. Kramlich 5 Oct 12/77*

P/C Mayor & Council Nov 8/77

BY-LAW NO. 2265

trian crossing by a traffic control device or by lines or other markings on the surface thereof; or

(ii) that part of a highway elsewhere than in an intersection distinctly indicated for pedestrian crossing by a traffic control device and by lines or by markings on the surface thereof; or,

(iii) that part of a highway that is included within the straight production across the roadway, directly and not diagonally

(a) of the lateral lines of the sidewalk on either side of any roadway intersecting or meeting the highway; or

(b) of the lateral lines of any sidewalk that intersects or meets the highway on either side thereof:

measured, in each case from the curb, or in the absence of curbs from the edge of the roadway on which the crosswalk is situated, and includes a pedestrian corridor;

(e) "Driver" means a person who drives or is in actual physical control of a vehicle, and the expressions "drive" and "driving" have a corresponding meaning;

(f) "Emergency vehicle" means a vehicle used:

- (i) For police duty, or;
- (ii) By a fire department, or;
- (iii) As an ambulance, or;
- (iv) For purposes related to maintenance of a public utility and designated as an emergency vehicle by a traffic authority, or;
- (v) Under the authority of a Municipality, as a fire pumper.

(g) "Gross Weight" means the combined weight of vehicle and load.

(h) "Highway" means any place or way including any structure forming part thereof, which or any part of which the public is ordinarily

BY-LAW NO. 2265

entitled or permitted to use for the passage of vehicles with or without fee or charge therefore and includes all the space between the boundary lines thereof; but does not include any area designated or intended, and primarily used for the parking of vehicles and the necessary passageways thereon.

- (i) "Intersection" means an area embraced within the straight production of the lateral boundard lines of two or more highways that adjoin one another at an angle whether or not one such highway crosses the other.
- (j) "Lane" means a highway twenty (20) feet or less in width.
- (k) "Motorcycle" means a motor vehicle other than a tractor which,
 - (i) is designed to travel on not more than three wheels in contact with the ground; and,
 - (ii) has a seat or saddle for the use of the rider sitting astride thereof; and includes a bicycle with a motor attached by which it is driven and a motor scooter.
- (l) "Motor vehicle" means a vehicle not run upon rails that is designed to be self propelled or propelled by electric power but does not include a farm tractor or self propelled implement of husbandry, a special mobile machine, or a snowmobile.
- (m) "Number Plate" includes any proof of registration issued by the Registrar, the Traffic Board or the Taxicab Board as the case may be and required to be affixed to a motor vehicle or a trailer.
- (n) "Owner" includes any person in possession of a motor vehicle under a contract providing that the ownership, title and property therein is to vest in him at a subsequent time, upon payment of the whole or part of the price or the performance of any other condition, and

BY-LAW NO. 2265

also includes a person who, having been registered under Section 6 of The Highway Traffic Act as owner of a motor vehicle or trailer the ownership of which has passed from him, has failed to comply with Section 10 of The Highway Traffic Act on the passing of the ownership thereof.

- (o) "Park", when prohibited, means to stand a vehicle whether occupied or not, except:
 - (i) When it is caused to stand temporarily for the purpose of and while actually engaged in loading or unloading in an authorized loading zone; or,
 - (ii) In obedience to a peace officer or a traffic control device,and "parking" has a corresponding meaning.
- (p) "Peace Officer" means
 - (i) Any member of the Royal Canadian Mounted Police Force or any other police officer, constable, police constable, or any other person employed for the preservation and maintenance of the public peace; and,
 - (ii) Any person lawfully authorized to direct or regulate traffic or to enforce The Highway Traffic Act or traffic by-laws or regulations, by making arrests for violation thereof or otherwise;
- (q) "Pedestrian" means a person afoot, or a person in a wheelchair or a child's carriage;
- (r) "Pedestrian Control Signal" means a traffic control signal directed to pedestrians;
- (s) "Pedestrian Corridor" means a crosswalk, at an intersection or elsewhere, that has been designated as a pedestrian corridor by the proper traffic authority and that is illuminated and distinctly indicated for pedestrian crossing.
- (t) "Provincial Highway" means a highway that is a Provincial Trunk Highway as defined in The Highways Department Act and also includes a provincial road as defined in that Act;

BY-LAW NO. 2265

- (u) "Sidewalk" means a foot path, whether or not paved or improved, that is intended primarily for the use of pedestrians and that either
 - (i) 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
 - (a) the adjacent property lines; or,
 - (b) 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
 - (ii) although not a 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 the property adjacent thereto.
- (v) "Stand" as applied to a vehicle whether occupied or not means:
 - (i) when required, to cause a vehicle to remain motionless in one place; and,
 - (ii) when prohibited to cause a vehicle to remain motionless in one place, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device,and "Standing" has a corresponding meaning.
- (w) "Stop" as applied to a vehicle whether occupied or not means
 - (i) when required, to cause the vehicle to cease to move; and,
 - (ii) when prohibited, to cause the vehicle to cease to move except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or a traffic control device;and "stopping" has a corresponding meaning.
- (x) "Taxicab" means a motor vehicle had, kept, or used or intended for use where operated, for the transportation of persons for compensation.
- (y) "Traffic" includes pedestrians and ridden, driven or herded animals or vehicles, and other conveyances or conveniences, either

BY-LAW NO. 2265

singly or together, while using a highway for purposes of travel.

(z) "Traffic Authority" means

- (i) in the case of provincial highways, the Minister of Highways;
- (ii) in the case of inter-municipal highways, the municipalities acting together, or one of the municipalities, acting with the approval of the Minister of Municipal Affairs;
- (iii) in the case of highways within municipalities, except those on privately owned land, the municipalities within the limits of which the highway is situated.

(A1) "Traffic Control Device" means a sign, signal, light, marking or device not inconsistent with the Highway Traffic Act, placed or erected by a traffic authority for the purpose of regulating, warning or guiding traffic.

3. POLICE REGULATION

(a) In the event of fire or other emergency or to expedite traffic or to safeguard pedestrians, Peace Officers and the Fire Chief or his designate may direct traffic as conditions may require notwithstanding the provisions of this by-law.

(b) Pedestrians, drivers and operators of vehicles shall at all times comply with any lawful order of a Peace Officer, Fire Chief or his designate, as to stopping, starting, approaching or departing from any place, the manner of taking up or settling down passengers or loading or unloading goods.

4. AMBULANCE AND POLICE AND FIRE VEHICLES

The provisions of this by-law regulating the operation, parking, standing or stopping of vehicles shall apply to ambulances and to vehicles of the police and fire departments excepting that unless otherwise directed by a peace officer, a driver of any ambulance or police vehicle operating in an emergency and a fire department vehicle responding to an alarm or fire may park, stand or stop notwithstanding the provisions of this by-law; may disregard regulations governing the direction of movement or turning in specified directions; and may proceed cautiously past a red traffic light,

BY-LAW NO. 2265

signal, stop sign or stop signal, but only after slowing down as necessary for safety and then giving a clearly audible warning.

5. VEHICLES IN FUNERAL PROCESSIONS

The driver of motor vehicles in a funeral procession shall insofar as practicable drive his vehicle on the extreme right hand side of the roadway. The driver of every vehicle in a funeral procession indicated as such by headlamps of all motor vehicles therein being lit upon approaching a red traffic light, signal, stop signal, or stop sign shall slow down as may be necessary for safety but may proceed cautiously past the signal or sign and after passing the traffic control signal or stop sign, the driver of each of the vehicles in the procession shall have the right-of-way over all other vehicles upon the highway at the intersection or place where the signal or sign is situated.

6. DRIVERS OF EMERGENCY VEHICLES TO DRIVE SAFELY

The provisions of Sections 4 and 5 as to ambulances, vehicles of the police and fire department and vehicles in funeral processions shall not relieve the drivers thereof from the duty to drive with due regard for the safety of all persons using the highway and/or from the consequence of an arbitrary assumption of the right-of-way.

7. PUBLIC SERVICE VEHICLES

The provisions of this by-law prohibiting standing and parking shall not apply to vehicles of The Town of The Pas while in use in connection with work being done on or near a highway, or to vehicles of the Federal and Provincial Governments or to a Crown Corporation if such vehicles have the owner's name painted thereon and they are actually engaged in works of necessity on or near the highway requiring them to stand or be parked in contravention to any such provisions.

8. VEHICLES AND BUSES TO YIELD RIGHT-OF-WAY TO EMERGENCY VEHICLES

BY-LAW NO. 2265

The driver of a vehicle upon a highway shall yield the right-of-way to ambulances travelling in emergencies and to police and fire department vehicles operating upon official business when the drivers thereof give clearly audible signals by bell, siren or whistle; and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway, or in the case of a one-way street, to either right or left hand edge of curb or roadway clear of any intersections, shall stop and remain in such a position until the aforementioned vehicles have passed except when otherwise directed by a police officer.

9. TRAFFIC CONTROL DEVICES

By virtue of The Municipal Act of Manitoba and The Highway Traffic Act of Manitoba, the Town Engineer or Municipal Superintendent by virtue of authority delegated to him by the Traffic Authority shall erect and maintain or cause to be placed and maintained all traffic control devices of such kinds and in such places as are authorized by the Traffic Authority to make effective the provisions of this by-law. A list of the traffic control devices is to be posted in the offices of The Town of The Pas and also attached to this by-law.

10. TEMPORARY TRAFFIC DEVICES

The Traffic Authority or any person authorizing it, may in an emergency or where construction, repairs, painting, snow plowing and removal and street cleaning is being carried on, place and maintain, or caused to be place and maintained, or put into operation, such temporary traffic control devices as are required while those conditions prevail, to control, regulate and guide traffic in an orderly manner.

11. TRAFFIC TO COMPLY WITH TRAFFIC CONTROL DEVICES

Subject to the provisions of Sections 4, 5, and 7 of this by-law, and unless otherwise directed by peace officers, pedestrians and drivers of vehicles shall obey the directions, instructions, limitations or restrictions or prohibitions of

BY-LAW NO. 2265

any applicable traffic control device, traffic control signal and temporary traffic sign, signal marking, barrier, or device placed or maintained by the Traffic Authority or any person authorized by it for the purpose of regulating or prohibiting traffic where highway construction or repair and painting or other emergency occurs.

12. IMITATIVE DEVICES PROHIBITED

No person shall erect or maintain upon or in view of a highway a device that purports to be, resembles or interferes with the effectiveness of a traffic control device unless he is authorized to do so by the Traffic Authority; and if such device is erected or maintained without that authority, it may be removed by the Traffic authority or a peace officer.

13. ORDER PERMITTING TURN AT RED LIGHT

A Traffic Authority, if so authorized by the Traffic Board, may by order direct that in any case where a red traffic light alone or with a pedestrian control signal is shown at an intersection by a traffic control signal, and the driver of a vehicle at or approaching the intersection and facing the traffic control light, having stopped as required at a red traffic control light at the intersection and yielded the right-of-way to traffic that is at the intersection, upon the intersecting highway or that is approaching thereon and in so close that it constitutes an immediate hazard, may, if he can do so in safety, enter the intersection and make a right turn onto the intersecting highway, unless a traffic control device indicates the contrary.

PEDESTRIANS RIGHTS AND DUTIES

14. PEDESTRIANS RIGHT-OF-WAY IN CROSSWALKS WHEN TRAFFIC LIGHT SIGNALS ARE NOT IN PLACE

When traffic light signals are not in place or not in operation and when traffic is not being regulated by a Peace Officer, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if necessary, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is approach-

BY-LAW NO. 2265

ing so close or from the opposite side of the roadway as to be in danger.

15. COMPLIANCE BY PEDESTRIANS WITH SIGNALS

Except when a Traffic Authority has otherwise ordered, where traffic control signals are operating at an intersection, pedestrians shall comply with them in the manner provided in Section 84 of The Highway Traffic Act.

16. PEDESTRIANS TO OBSERVE SAFETY MEASURES

No pedestrian shall leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impracticable for the driver to yield.

17. PASSING VEHICLE STOPPED FOR PEDESTRIAN PROHIBITED

Where a vehicle is stopped at a crosswalk or at an intersection to permit a pedestrian to cross the highway, no driver approaching from the rear shall overtake and pass the stopped vehicle. When a pedestrian is crossing a roadway other than a crosswalk, he shall yield the right-of-way to a driver.

18. PEDESTRIAN CORRIDOR - DUTIES OF DRIVER

Subject to Section 19, where

- (a) A pedestrian is at
 - (i) the curb or edge of roadway; or
 - (ii) a place of safety;

that is adjacent to a pedestrian corridor that lies across a roadway upon which a vehicle is approaching so closely to the pedestrian corridor as to endanger the pedestrian if he were to enter it; and

- (b) the pedestrian
 - (i) is intending to cross the roadway in the pedestrian corridor; and
 - (ii) is giving notice of his intention by extending his hand and arm at full length in such a manner to indicate clearly the direction in which he intends to cross;

BY-LAW NO. 2265

the driver of the vehicle shall yield the right-of-way to the pedestrian by slowing down or stopping if necessary.

19. WHEN VEHICLE STOPPED AT PEDESTRIAN CORRIDOR

When a vehicle is stopped at a pedestrian corridor, the driver of any other vehicle overtaking the stopped vehicle shall bring the vehicle to a full stop before entering the pedestrian corridor, and shall yield the right-of-way to a pedestrian,

(a) who is within the pedestrian corridor upon the half of the roadway upon which the vehicle is stopped; or

(b) who is within the pedestrian corridor and is approaching that half of the roadway from the other half of the roadway so closely to the vehicle that he is in danger if the vehicle were to proceed.

20. SCHOOL BUSES AND SCHOOL ZONES

Where a stopped school bus is displaying signals or where a school bus is stopped on the highway, with a lamp or other warning device operating thereon or displayed therefrom, the driver of any motor vehicle approaching the school bus from any direction shall bring the motor vehicle to a stop not less than fifteen (15) feet from the school bus before passing it, and he shall not proceed unless the school bus resumes motion and the driver thereof signals him to proceed or ceases to operate or display the lamp or other warning device as required under The Highway Traffic Act, Section 128(4).

21. WHERE PASSING OTHER VEHICLES PROHIBITED

No person driving a vehicle shall overtake or pass another vehicle while the other vehicle is on or is approaching within fifty (50) feet of the grounds of a school building or of an institution for the care of children or grounds on which there is a playground or rink while children are on the highway adjacent to those grounds, if the existence of that institution, school building, playground, rink or persons so engaged is indicated in each case by a

BY-LAW NO. 2265

traffic control device.

22. SPEED LIMIT

By virtue of the authority granted to it under Section 96(1) of The Highway Traffic Act, The Town of The Pas affixes as the maximum speed at which vehicles may be driven on any highway over which the municipality has jurisdiction, as follows: No person shall drive a vehicle at a rate of speed greater than,

- (i) 30 miles an hour within any restricted speed area, if it and the maximum speed permissible therein are designated by signs erected as required under Section 98(4) of The Highway Traffic Act;
- (ii) the maximum speed permissible at any place as designated by signs erected under Section 98(4) of The Highway Traffic Act;
- (iii) 15 miles per hour in playground and school zones where the zones are indicated by traffic control devices;
- (iv) 50 miles per hour during the periods when under sub-section 11 of Section 33 of The Highway Traffic Act, lights in vehicles on the highway are required to be lighted, or
- (v) 60 miles per hour at all other times to which Clause (i) through (iv) do not refer.

23. SLOW VEHICLES TO KEEP TO THE RIGHT

The driver of vehicles proceeding unless in a normal speed of traffic at the time and place and under the conditions then existing shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway.

24. DRIVING ON SIDEWALKS AND BOULEVARDS

No vehicles shall be driven or allowed to stand on or overlapping on a sidewalk or boulevard but may be driven over an approach or sidewalk crossing.

25. FOLLOWING FIRE TRUCK

A driver of a vehicle shall not closely follow a vehicle of the Fire Department travelling in response to a fire alarm, or drive into or park the vehicle within a block of where the fire fighting vehicle is stopped in answer to a fire alarm.

BY-LAW NO. 2265

26. CLINGING TO MOVING VEHICLES

(a) No person riding upon or using any motorcycle, sleighs, skis, skates, toy vehicles or other devices shall attach the same or himself to any moving vehicles on any roadway and no driver of any moving vehicle shall permit any such person to attach himself or any of the aforementioned devices thereto, and;

(b) No person shall attach himself to any vehicle or ride upon any portion not designated or intended for the use of passengers.

27. U-TURNS

No driver shall turn a vehicle so as to proceed in the opposite direction:

- (a) at any place other than at an intersection;
- (b) at an intersection controlled by traffic signals; or,
- (c) at any other intersection, unless he can do so without interfering with other traffic and only where there is no sign prohibiting U-turns.

28. ONE-WAY STREETS AND LANES

The Traffic Authority of The Town of The Pas shall be empowered to declare certain streets and lanes or portions thereof as one-way streets and when such declaration is made and signs erected appropriately directing traffic in a one-way direction prohibiting traffic in the opposite direction, the said Traffic Authority shall cause to be listed in the offices of The Town of The Pas an enumeration indicating those streets and lanes which are to become one-way streets.

29. EMERGING FROM LANE, APPROACH OR BUILDING

The driver of a vehicle emerging from a lane, approach, driveway or building shall stop the vehicle immediately before entering any part of a street and yield the right-of-way to pedestrians and to such other traffic as may be necessary to avoid collision.

BY-LAW NO. 2265

ROUTES OF TRAVEL

30. ESTABLISHING ROUTES OF TRAVEL FOR TRUCKS

(a) For the purpose of this section, "Truck" means a motor vehicle, trailer, or sem-trailer truck, and is not a delivery car that is constructed or adapted to carry goods, wares and merchandise, freight or commodities but not passengers or luggage;

(b) All trucks within the Town of The Pas shall be operated only over and along the streets designated by the Traffic Authority as truck routes. The said truck routes are to be enumerated and said enumeration of truck routes is to be listed in the offices of the Town of The Pas but any truck may operate upon any street where necessary to the conduct of business at a destination point provided the streets upon which such traffic is permitted are used until reaching intersections nearest the destination point. Upon leaving the destination point, a truck shall return by the shortest route to a street designated as a truck route upon which such traffic is permitted.

(c) Except as provided in Subsection (b) above, and excepting designated truck routes, parking or standing by commercial trucks having a tonnage capacity exceeding one ton is prohibited.

BICYCLES

31. GENERAL RULES AS TO BICYCLES

Except as provided in this by-law, a person operating a bicycle upon a highway has the same rights and duties as a driver of a vehicle.

32. SPECIAL RULES AS TO BICYCLES

A person operating a bicycle shall comply with the following provisions:

(a) He shall not ride on the sidewalk;

(b) He shall ride as close as is practicable to the right hand edge or curb of a roadway or to any person who may be riding a bicycle on his right side. Persons riding bicycles on the highway shall not ride more than two

BY-LAW NO. 2265

abreast;

- (c) He shall keep at least one hand on the handle bars;
- (d) He shall not ride other than upon or astride a regular seat of the bicycle;
- (e) He shall not use the bicycle to carry more persons at one time than the number for which the bicycle is designated.

33. EVERY BICYCLE SHALL CARRY

- (a) a head lamp at the front thereof when operating after dark;
- (b) a lamp or reflector at the back thereof or a reflecting red light or red reflection as the case may be; and an area of not less than ten inches in length and two inches in width of the surface of the rear mud guard of every bicycle or tricycle shall be painted white.

34. EQUIPMENT OF BICYCLES

No person shall operate a bicycle on a highway or cause or permit a bicycle to be operated on the highway unless it is equipped in all respects as required by The Highway Traffic Act and the regulations; and the owners/^{have} complied in all respects with the requirements of The Highway Traffic Act and regulations respecting bicycles.

35. INSPECTION OF BICYCLES

A Peace Officer may at any time stop and inspect, or cause to be inspected, any equipment on a bicycle on a highway and may, if the equipment or any part thereof does not comply with The Highway Traffic Act, require that the operator thereof have, and the operator shall proceed forthwith to have equipment made to comply.

36. IMPOUNDMENT OF BICYCLES

Any Peace Officer who, anywhere within The Town of The Pas, finds a bicycle in contravention of Sections 32, 33, 34, and 35 or finds a bicycle without the municipality's identification, mark or number stamped thereon shall seize the bicycle and bring it before

BY-LAW NO. 2265

a Magistrate who shall thereupon issue a summons addressed to the person in whose apparent possession of the bicycle was at the time of seizure commanding him at the time and place therein named to show cause why it should not be confiscated.

37. CONFISCATION OF BICYCLES

Upon the matter being heard, the Magistrate shall make an order that the bicycle be confiscated to the municipality in which it was seized unless he is satisfied that there was no breach under this by-law committed in respect of the bicycle, and if no breach has been committed, the bicycle shall be restored to the person in whose apparent possession it was at the time of seizure.

38. SALE OF CONFISCATED BICYCLES

Any bicycle confiscated under Section 37 may be sold by the municipality at public auction not less than three months after the confiscation.

LOADING AND UNLOADING ZONES

39. ESTABLISHMENT OF LOADING ZONES

Loading zones designated as such by traffic signs may be established by the Traffic Authority throughout the Town of The Pas for such purpose during the hours of 8:00 A.M. to 6:00 P.M. daily, Monday through Saturday.

40. STANDING AND LOADING ZONES

No person shall stop, stand or park a vehicle for any purposes or for any period of time other than for the express loading or unloading, or for the expeditious unloading and delivery or pick up and loading of materials within a part of any space marked by traffic signs as a loading zone during the hours specified in Section 39.

41. DELIVERIES TO BE MADE IN LANE

Where there is a lane to serve a property, all deliveries or collections of commodities to or from stores, restaurants, hotels and commercial

BY-LAW NO. 2265

buildings shall be made herein except as specifically authorized by the Traffic Authority of The Town of The Pas.

42. VEHICLES BACKED TO CURB

No driver of a vehicle shall stand a vehicle backed up to the curb.

43. STANDING FOR LOADING AND UNLOADING CAB PASSENGERS

By virtue of the authority vested in Section 22(2) of The Highway Traffic Act, the Traffic Authority being the Council of the Municipality, are empowered to make rules and regulations regarding the location and/or use of taxi cab stands and parking zones.

44. RESTRICTED USE OF TAXI STANDS

No person shall stop or stand a vehicle other than a taxi cab in a taxi cab stand.

45. STOPPING, STANDING, PARKING

Except where it is necessary to avoid conflict with traffic, or to comply with the law or the directions of a Peace Officer or a traffic control device, no person shall stop, stand or park a vehicle:

- (a) on or over a sidewalk;
- (b) in front of a drive way so as to block it;
- (c) within an intersection or within ten feet thereof or such greater distance as may be prescribed by the appropriate Traffic Authority;
- (d) within ten feet of a fire hydrant;
- (e) on a crosswalk;
- (f) within ten feet of the approach side of a crosswalk;
- (g) within thirty feet upon the approach to any flashing beacon, stop line or traffic control signal situated at the side of a roadway;
- (h) along side or opposite a street excavation or obstruction, where such stopping, standing or parking obstructs traffic;
- (i) on the roadway side of a vehicle stopped or parked at the edge of a curb or a street;

BY-LAW NO. 2265

- (j) upon a bridge or other elevated structure upon a highway or within a highway tunnel;
- (k) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking is prohibited;
- (l) in such a manner that it constitutes a hazard on the highway;
- (m) on a highway with the left side of the vehicle to the curb excepting a one-way street where standing or parking is not elsewhere herein prohibited on the left side;
- (n) more than two (2) feet from the edge of a curb of a street.

46. PARKING METERS AND PARKING METER ZONES

By virtue of Section 75(3) of The Highway Traffic Act, the Traffic Authority, being the Council of The Town of The Pas, may erect appropriate traffic control devices to limit the time during which vehicles may be parked on the highway or any portion thereof either during the whole of any day or during a part thereof as the Traffic Authority may consider necessary.

- 47. The Traffic Authority being the Council of The Town of The Pas may establish certain areas to be designated as parking meter zones, and delegate authority to establish all parking meter zones as may be required, said parking meter zones to be enumerated and listed in the offices of The Town of The Pas. A list of the parking meter zones with plan is attached to this by-law, as Schedule ____.
- 48. Legal parking time in the parking meter zones shall be the time indicated on the parking meters in use in the parking meter zones.
- 49. Parking meters shall be placed upon the curb along side of or next to the individual parking space so designated by the Traffic Authority or its delegate. Each said parking meter shall be so situate as to display a signal showing legal parking as indicated on the parking meter itself. When any vehicle shall be parked in any space alongside or next to which is located under this by-law a parking meter, the owner, operator, driver or manager of the said vehicle shall, upon entering the parking space, immediately

BY-LAW NO. 2265

deposit the required coins as shall be indicated by the parking meter and the said parking space can then be used by such vehicle during the parking limits shown by the parking meter. Should the owner, operator, driver or manager of the said vehicle fail to deposit the required coins, or should the said vehicle remain parked in any space beyond the parking limit indicated by the parking meter, the parking meter shall show a sign showing illegal parking. In that event, the said motor vehicle shall be considered as parking overtime and beyond the time affixed herein.

Any owner, operator, manager or driver of any vehicle leaving such vehicle in such parking space beyond the parking limit fixed herein shall be guilty of an offence against the provisions of this by-law.

Upon the expiration of the maximum parking limit shown on the parking meter, no person shall further deposit or cause to be deposited in a parking meter a coin for the purposes of obtaining an extension of the parking time beyond the time prescribed on the meter head; nor shall a person in such a situation deposit or cause to be deposited in a parking meter in a space at either side of and adjoining the space first used a coin for the purpose of obtaining such an extension of parking time.

50. Where an offence consisting of a violation of any provision of this by-law
- (a) is committed by means of, or with respect to, a motor vehicle; or,
 - (b) occurs by reason of, or with respect to, the ownership, use or operation of a motor vehicle;

the owner of the motor vehicle may be charged with commission of the offence and, if the judge or justice before whom the charge is tried, is satisfied that the offence was committed, the owner is guilty of the offence and is liable, on summary conviction, to the penalty herein provided for that offence unless the owner satisfies the judge or justice that, at the time of the violation, the motor vehicle was in the possession of a person other than the owner or his chauffeur without the consent of the owner.

BY-LAW NO. 2265

51. No vehicle of any over-all length of more than twenty-two feet shall park in any parking meter zone.
52. Any metered space may be used without inserting coins on Sundays and public holidays, or between the hours of 6:00 o'clock in the afternoon and 8:00 o'clock in the forenoon of the following day, except where the meter is hooded or when traffic signs indicate that standing or parking is prohibited.
53. No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitution for a one-cent or a five-cent Canadian coin.
ten cents too?
54. No person shall deface, injure, tamper, or wilfully break, destroy and impair the usefulness of any parking meters installed under the terms of this by-law.
55. Vehicles parked in a parking meter zone during the hours when the restrictions under parking meters do not affect it shall be subject to the general provisions of this by-law; otherwise, the provisions of this by-law relative to parking meters shall prevail over the general provisions of the by-law within the parking meter zone.

PRIVATE AND PUBLIC PARKING AREAS

56. (1) No person shall park or leave any vehicle on:
 - (a) Any street or lane or highway within the limits of The Town of The Pas between the hours of 2:00 A.M. in the forenoon to 6:00 A.M. in the forenoon where a traffic control sign indicates that a vehicle is not to be parked during those hours;
 - (b) Private property that has been clearly marked as such and on which legible sign or signs have been erected by the owner or his agent forbidding trespassing or parking;
 - (c) A private road or driveway unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of the said private road or driveway;

BY-LAW NO. 2265

- (d) The owner of such vehicle in addition to the driver, shall be liable for the penalty provided for any violation of this by-law unless at the time of the violation the vehicle was in the possession of a person other than the owner or chauffeur without the consent of the owner;
- (2) The owner, tenant, occupant or person in charge or control of private property or a Peace Officer, if personally satisfied that any person is violating the prohibition set forth in this section may lay an information and complaint against the owner or driver of the vehicle or may report to the Peace Officer of The Town of The Pas the licence number and location of the illegally parked vehicle. Any person making such report shall do so in person and give his own name and address. On such report being received, the Police Department may investigate and may lay an information and complaint against the owner or driver;
- (3) On receipt of a complaint of an infraction of the provisions of this section, any Peace Officer of The Town of The Pas may authorize the removal of the violating vehicle by a garage keeper and the garage keeper shall remove the vehicle to his own premises and shall impound the vehicle until the charges for removal and storage have been paid by the owner of the vehicle. The Town authorizes the garage keeper to impound the vehicle for a period of ninety (90) days. If on the expiration of ninety days the impounded vehicle has not been claimed by the owner of the vehicle or the removal and storage charges have not been paid, the Town of The Pas shall advertise the vehicles which have been impounded for ninety days, and should the vehicle or vehicles not be claimed within two (2) weeks of the said advertisement, the impounded vehicles will be sold and all storage charges satisfied from the sale of the said vehicles. Should the monies obtained from the sale of the impounded vehicle not be sufficient to pay the storage charges, the Town of The Pas shall pay all storage charges due and owing.

BY-LAW NO. 2265

The Traffic Authority, being the Council of The Town of The Pas, may designate and develop appropriate areas as public parking lots and delegate authority to establish regulating rates and penalties as may be required; said schedule of regulations, rates and penalties to be listed in the offices of The Town of The Pas and attached to this by-law.

58. PENALTY

Any person who fails to comply with any section of this by-law is guilty of an offence punishable on summary conviction and is liable on conviction to a fine not exceeding \$50.00 for each offence together with the costs of prosecution, and in default of payment of such fine and costs is liable to imprisonment for a period not exceeding thirty (30) days.

59. VOLUNTARY PAYMENT

(a) Where it is alleged by a Peace Officer or by any person appointed to enforce this by-law, that any person has contravened a provision of this by-law, that person, on being notified of the allegation, may voluntarily consent to pay the fine indicated on the traffic ticket within the time indicated thereon, and may make such payment at the offices of the Town of The Pas.

(b) The fines referred to in paragraph (a) herein shall be as follows:

(i) For parking meters and parking meter zones - \$2.00 for each offence;

(ii) For all other parking infractions, \$5.00 for each offence.

(c) In the event that the said fines are not voluntarily paid as provided in paragraph (a) herein, a notice shall be sent out by The Town of The Pas to the owner of the ticketed motor vehicle, which notice shall indicate a further time period in which the said owner may voluntarily consent to pay the fine referred to in paragraph (b) herein. The notice shall also provided that in the event any person or persons alleged to have contravened this by-law does not pay the fines referred to in paragraph (b) herein by the further time period in the notice, then a further fine for each offence

BY-LAW NO. 2265

shall be payable and a further time indicated on the notice as follows:

- (i) For parking meters and parking meter zones within ten days of the further time period indicated on the notice, \$7.00 for each offence;
- (ii) For all other parking infractions within ten days of the further time period indicated on the notice, \$10.00 for each offence.

(d) If the fines referred to in paragraph (c) herein are not paid in accordance with the provisions of this section, the penalty for any and all parking infractions shall be that imposed in section 58 of this by-law.

60. CONTROL OF ABANDONED AND DERELICT VEHICLES

(a) Whereas Section 294(1-5) of The Municipal Act prohibits any person(s) from leaving or abandoning derelict vehicles on private or public property with or without the consent of the owner of the property:

(1) "Derelict Vehicle" - shall mean a vehicle not run upon rails that is designed to be self-propellant and without restricting the generality of the foregoing, it includes an automobile, a truck, or tractor, a self-propelled implement of husbandry, a special mobile machine and a snowmobile, which vehicle is not a new and unused vehicle, and

- (i) is not in operating condition;
- (ii) does not have attached thereto, and exposed thereon, one or more number plates issued under The Highway Traffic Act for the current registration year under that Act;
- (iii) is kept in the open; and
- (iv) the owner thereof either has abandoned it; or is keeping it primarily for the purposes of salvaging or selling parts therefrom, or for eventual sale thereof as scrap metal;

BY-LAW NO. 2265

and a derelict vehicle also includes the body or chassis of a used motor vehicle, all or some of the parts of which have been removed, and to which clauses (ii), (iii) and (iv) apply.

(2) "Abandonment" - shall mean if for a period of at least one month a vehicle, part of, or parts have

(i) been left in the open;

(ii) has, in the opinion, of The Traffic Authority or its representative, or a member of the Royal Canadian Mounted Police or Town Peace Officer, or the Court, as the case may be, been deserted.

(b) Any owner, occupant or person in charge or control of private or public property who wishes to keep derelict vehicles thereon, must obtain a licence to do so from The Town of The Pas Licence Inspector by first making application and stating thereon for what purpose and the description of the subject vehicle that he wishes to keep.

(c) A licence will be issued only if the applicant can ensure that storage of the vehicle(s), or vehicle parts will be contained in an enclosed building or storage structure.

(d) The fee for such a licence shall be set as \$25.00 per vehicle.

(e) The Town or its authorized agent will remove from public or private property any derelict or abandoned vehicle parked or left thereon and will impound, store or destruct according to the provisions as set out in this by-law.

(f) The Town of The Pas will impose a fine of \$25.00 on any person found guilty of violating the provisions of Section 60 of this by-law and further considers each day on which the violation continues as a separate offence.

(g) Recovery of costs and charges incurred in towing, impounding, storing, destroying or disposing of a derelict or abandoned vehicle(s) by the Town of The Pas or its authorized agent will be considered as a debt owed by the owner of the derelict vehicle and the owner of the property from which it was removed, jointly and severally, to the Town. The recovery of such charges shall

BY-LAW NO. 2265

be either through payment by the registered owner or through the sale of the vehicle(s), part of or parts as provided by Section 63.

61. REMAINING STATIONARY ON STREETS, AVENUES AND LANES

No owner or operator of any vehicle, tractor, trailer, semi-trailer or other vehicles, power driven or otherwise, shall allow it to remain stationary in any street, avenue or lane so as to impede vehicular traffic, snow removing equipment, road maintenance equipment, or pedestrian traffic and in cases where such vehicles are found to be left in any of these places for a period of more than forty-eight hours, the R.C.M.P., Fire Chief or any person so designated by the Traffic Authority of The Town of The Pas may cause such vehicle to be towed away by the Town's authorized agent, and be subject to the provisions of Section 63.

62. PARKING WHILE STREETS BARRICADED

(a) Unless otherwise directed by a Peace Officer, no person shall drive or park a vehicle or bus on any portion of a street or lane roped, barricaded or otherwise indicated as prohibited by the proper authority as being closed to traffic or parking as the case may be for the time being.

(b) A vehicle standing or parked in contravention of Subsection (a) of this section may, by authorization of the Town Engineer or Peace Officer, be towed away and impounded by the Town's authorized agent, subject to By-Law No. 63.

63. IMPOUNDMENT

(a) The Town of The Pas will provide an area or fenced property to be known as the Town Compound.

(b) Impounded vehicles will be towed to the Town Compound.

(c) Towing charges will be levied against the impounded vehicle.

(d) A storage charge of \$1.00 per day will be levied against said vehicle(s) for the time in the Compound.

BY-LAW NO. 2265

(e) The vehicle(s) may be reclaimed by the registered owner by payment of towing and storage charges at the Public Works Office in The Town of The Pas.

(f) Any vehicle not claimed within Ninety (90) days of impoundment will be advertised and if not claimed within two (2) weeks of advertisement, will be sold by public tender.

(g) The tender on sale of vehicle(s) will be offered only periodically and not necessarily at the end of Ninety (90) days.

64. Reference to time shall be deemed reference to daylight saving time when such is in current use in The Town of The Pas and all other times Central Standard Time applicable to the Town.

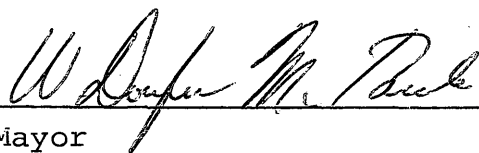
65. REPEAL

This by-law repeals the following by-laws:
1950, 2035, 2055, 2074, 2125, 2138, and 2209.

66. DATE OF BY-LAW

This by-law shall become effective on the day of passing thereof.

DONE AND PASSED IN COUNCIL ASSEMBLED THE 16TH
day of November, A.D. 1977.



Mayor



Secretary-Treasurer