

RURAL MUNICIPALITY OF LUMSDEN No. 189
BYLAW NO. 2020-13

**A BYLAW TO REGULATE THE OPERATION OF VEHICLES WITHIN THE ORGANIZED HAMLET OF
DEER VALLEY.**

The Council of the Rural Municipality of Lumsden No. 189, in the Province of Saskatchewan enacts:

1. SHORT TITLE

This bylaw shall hereinafter be referred to as the “Deer Valley Traffic Bylaw”;

2. DEFINITIONS

- (a) “*highway*” means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the town as designated pursuant to the provisions of The Highways Act and Transportation Act;
- (b) “*municipality or Council*” means the RM of Lumsden No. 189;
- (c) “*designated officer*” means the Royal Canadian Mounted Police or a person appointed to enforce municipal bylaws;
- (d) “*intersection*” means the travelled portion of the highway embraced by the extension of the curb lines to where such lines intersect or, where no curbs exist, the travelled portion of a highway embraced by lines extended 4.25 meters (14 feet) on either side, and parallel to, the centre line of a highway;
- (e) “*Organized Hamlet of Deer Valley*” means the residential subdivision legally located on land legally described as Sections 7 & 8, Township 19, Range 21, West of the 2nd Meridian;
- (f) “*recreational vehicles*” means a wheeled vehicle designed for mobile accommodation and used for personal pleasure or travel by an individual or family, which may or may not be towed behind another vehicle. Notwithstanding the generality of the above, these may include a motor home, fifth-wheel trailer, camper trailer, cabin trailer, collapsible cabin trailer and tent trailer;
- (g) “*speed zone*” means any portion of a highway within the RM of Lumsden No. 189, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (h) “*stop or stopping*” means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict in compliance with the directions of a police officer or of a traffic control sign or signal;
- (i) “*sign*” means any sign, curb or sidewalk marking, or other device placed or erected on a highway for the purpose of regulating, warning, guiding traffic or providing information;
- (j) “*vehicle*” means a vehicle, trailer or semi-trailer or a motor vehicle as described by *The Traffic Safety Act*.
- (k) “*trailer*” means a vehicle, other than a semi-trailer, that is at any time drawn on a highway by a motor vehicle and that is designed for the conveyance of goods as described by *The Traffic Safety Act*.

3. SCOPE**(a) "STOP" STREETS**

The highways as listed in Appendix 1 are designated as "Stop" streets.

4. INFRACTIONS**(a) "STOP" STREETS**

The provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a "stop" sign erected and maintained in accordance with the provisions of Section 6(a).

(b) PARKING

(1) With the exception of Deer Valley Road and as otherwise provided herein, the parking of vehicles is permitted on all highways within the Organized Hamlet of Deer Valley.

(2) No person shall park within three (3) metres of any fire hydrant.

(3) Subject to subsection (i) and (ii) No person shall park a recreational vehicle, trailer, boat and/or vehicle on a highway for any period of time exceeding seven (7) days (consecutive or non-consecutive) in any given calendar month.

(i) Privately owned and fully licensed recreational vehicles, boats and/or vehicle may be parked on the highway in residential areas provided they are:

- in such a manner so as not to cause or create an obstruction or prevent the safe passage of vehicles and pedestrians;
- parked adjacent to the owner's property;
- parked for a period not to exceed seven (7) days (consecutive or non-consecutive) in any given month; and
- They are moved to allow for snow removal when required.

(ii) Trailers may be parked on any highway in excess of seven (7) days if they are being used for the construction or renovation of a home or yard within the community of Deer Valley, provided they are parked adjacent to the property for which the construction or renovation is associated, and they do not interfere with the flow of traffic or snow removal.

5. SPEED

(a) No person shall operate a vehicle on public roadways in the organized hamlet of Deer Valley at a speed greater than forty (40) km/hr or as posted.

6. SIGNS

(a) Council shall cause to be erected and maintained at all stop streets listed in Appendix 1, at a distance of approximately three (3) meters from the point of intersection, an appropriate sign containing the word "Stop", so placed to face the traffic approaching the intersection.

7. PENALTIES**(a) SIGNS**

Any person who contravenes any of the provision of subsection 4(a) is guilty of an offence or liable on summary conviction to the penalties provided in the General Penalty Bylaw of the RM of Lumsden No. 189.

(b) PARKING

(i) A police officer, designated officer or any other person appointed to carry out the provision of this bylaw, upon discovery of a vehicle in contravention of this bylaw may place a notice of violation on the vehicle or trailer.

(ii) Where a parking infraction notice is placed on a vehicle by a police officer, designated officer or any other person appointed to carry out the provisions of this bylaw, the owner;

- (1) May pay the early payment as indicated on the parking infraction notice;
or
- (2) Shall pay the set fine as indicated on the parking infraction notice; or
- (3) Exercise Option 2 on the reverse side of the parking infraction notice,
regarding appeal.

(iii) A Notice of Violation shall be in **Appendix 2, Form 1**, attached to and forming part of this bylaw or a Provincial Summary Offence Ticket.

(iv) A person who contravenes any of the provisions of section 4(b) of this bylaw or fails to comply with any notice or order given there under shall be guilty of an offence and upon conviction, shall be liable to penalties as set out in **Appendix 3**, or under the General Penalty Bylaw of the municipality.

8. REPEAL OF BYLAW

Bylaw No. 26-2019 is hereby repealed.

9. COMING INTO FORCE

(a) That this bylaw shall come into force and take effect on the day of final passing thereof.

Readings

Read a first time this day of , 2020.

Read a second time this day of , 2020.

Given three readings this day of , 2020.

Read a third time day of , 2020.

S E A L

Reeve

Administrator

S E A L

“STOP” STREETS [Subsection 4(a)]

The following streets are hereby designated as “*Stop*” streets:

- (1) Deer Valley Road and Deer Ridge Drive
- (2) Deer Valley Road and the top of the Deer Valley Golf Club driveway
- (3) Deer Foot Trail and Deer Valley Road

**FORM 1
NOTICE OF VIOLATION [Subsection 7(b)]**



R.M. OF LUMSDEN NO. 189

NOTICE OF VIOLATION

believes from personal knowledge and certify that on

Date of Infraction Year	Month	Day	Time of Infraction Hours
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The owner or operator of the vehicle upon which was displayed the

Plate Number	Expiry (dd/mm/yy)	Province
Vehicle Make	Vehicle Model	Vehicle Colour
Location of Infraction		
V.I.N.		

DID COMMIT THE FOLLOWING PARKING INFRACTION CONTRARY TO THE TOWN OF LUMSDEN TRAFFIC BYLAW AS AMENDED

BYLAW SECTION	PARKING INFRACTION	X	EARLY PAYMENT (On First Offense Only)	FIRST OFFENCE	SECOND OFFENCE	SET FINE
4(b)(2)	Park on a highway within 3 metres of a fire hydrant		\$75.00	\$100.00	\$150.00	\$250.00
4(b)(3)	Park a Recreational Vehicle, Boat or Trailer in excess of seven (7) days.		\$50.00	\$75.00	\$100.00	\$200.00

COMMENTS:

I FURTHER CERTIFY THAT I SERVED THE PARKING INFRACTION NOTICE ON THE OWNER OF THE VEHICLE INDICATED BY:

- Affixing it to the vehicle in a conspicuous place at the time of the alleged infraction
- Serving it personally to the operator of the vehicle at the time of the alleged infraction

SIGNATURE OF ISSUING OFFICER: _____

NOTICE

READ REVERSE SIDE CAREFULLY FOR DEFENDANT'S OPTIONS

**IMPORTANT
PLEASE READ CAREFULLY**

WITHIN 15 DAYS OF THE DATE OF THE PARKING INFRACTION NOTICE CHOOSE ONE OF THE FOLLOWING OPTIONS. FAILURE TO DO SO MAY RESULT IN A CONVICTION BEING REGISTERED AND ADDITIONAL FEES BEING IMPOSED. COMPLETE THE SELECTED OPTION (SIGN WHERE NECESSARY) AND DELIVER IT (AND PAYMENT WHERE APPLICABLE) TO THE ADDRESS SHOWN BELOW.

All inquiries regarding this infraction should be made to:

The RM of Lumsden No. 189
Box 160, 300 James Street North
Lumsden, SK S0G 3C0
Telephone: 306-731-2404

DEFENDANTS OPTIONS – CHOOSE ONE ONLY

- 1. **Option 1 – Voluntary Payment:** I do not wish to dispute the charge and I enclose the amount as indicated on the front of the Notice. Early Payment is due within fifteen (15) days of infraction date. The Set Fine amount applies after fifteen (15) days of the date of infraction.

Signature: _____

Write the amount of the Parking Infraction Notice on the front of your cheque or money order and make it payable to: THE RM OF LUMSDEN NO. 189
And mail or deliver your payment along with this Notice to the address shown above.

An administration fee is payable if the fine goes into default and the information may be provided to a credit bureau. Please allow sufficient time for your payment to be delivered.

- 2. **Option 2 – Trial Option:** DO NOT MAIL. You must call the Lumsden Municipal Office in advance for an appointment at: (306) 731-2404. You cannot set a trial date by mail. You must bring the Parking Infraction Notice with you at the time of your appointment.

ITEM	SHORT FORM	SECTION	EARLY PAYMENT (On First Offense Only)	FIRST OFFENSE	SECOND OFFENSE	SET FINE
1.	Park on a highway within three (3) metres of a fire hydrant	4(b)(2)	\$75.00	\$100.00	\$150.00	\$250.00
2.	Park a Recreational Vehicle, Boat or Trailer in excess of seven (7) days.	4(b)(3)	\$50.00	\$75.00	\$100.00	\$200.00