

TOWN OF ESTON
BYLAW NO. 2-2006
As Amended by Bylaw 4-2006 and 6-2010

A BYLAW OF THE TOWN OF ESTON IN THE PROVINCE OF SASKATCHEWAN TO REGULATE TRAFFIC AND THE USE OF PUBLIC STREETS AND TO PRESERVE ORDER THEREON

NOW THEREFORE THE COUNCIL OF THE TOWN OF ESTON ENACTS AS FOLLOWS:

PART I - TITLE APPLICATION AND INTERPRETATION

1. SHORT TITLE

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

2. APPLICATION

.1 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 Town of Eston.

3. INTERPRETATION

.1 In this Bylaw, unless the context otherwise requires the expression, word or phrase:

- (a) **Act or Highway Traffic Act** means The Highway Traffic Act of the Province of Saskatchewan 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) **Police** means the member-in-charge of the Eston Detachment of the Royal Canadian Mounted Police and/or anyone acting or appointed or authorized by him to act on his behalf.
- (g) **Clerk** means the Town Administrator of the Town of Eston.
- (h) **Council** shall mean the Council of the Town of Eston.
- (i) **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.

- (j) **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.
- (k) **Driver** (passengers excluded) includes the rider of a bicycle, motorcycle and also the Operator of a vehicle.
- (l) **Highway** means Public Highway.
- (m) **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".
- (n) **Holidays** shall mean any statutory or municipal holiday.
- (o) **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.
- (p) **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.
- (q) **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.
- (r) **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.
- (s) **Misconduct** means and includes any act, deed or practice which is not in the public intent.
- (t) **Motor Vehicle** means a motor vehicle as defined in the Highway Traffic Act.
- (u) **Operator** shall be as defined in The Highway Traffic Act.
- (v) **Owner** shall be defined in The Highway Traffic Act.
- (w) **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.
- (x) **Parking** shall be as defined in The Highway Traffic Act.
- (y) **Parking Area** means a portion of a street or an area indicated by signs or markings as a place to park.
- (z) **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.

- (aa) **Pedestrian** shall mean any person afoot and shall include the occupant of a baby carriage or invalid's chair.
- (bb) **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, this expression shall have the meaning as set out in Subsection (4) of The Highway Traffic Act.
- (cc) **Person** includes a corporation or a partnership, and women as well as men.
- (dd) **Playground or Recreational Area** shall mean any area designated by Council for use for recreation.
- (ee) **Police Officer or Police Constable** shall mean any member of the Royal Canadian Mounted Police and any person specially appointed by the Town of Eston to be a Police Officer or Constable.
- (ff) **Procession** means and is included in the word, term or expression parade.
- (gg) **Public Hall** shall be as defined in Section 2 (c) of The Theatres and Cinematograph Act, Statutes of Saskatchewan 1968, and amendments thereto.
- (hh) **Public Highway** shall be defined in The Highway Traffic Act.
- (ii) **School Ground** shall mean that area on which is situated an educational institution, whether public or private, and shall include the lands belonging thereto.
- (jj) **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.
- (kk) **Sidewalk Crossing** shall mean that portion of a sidewalk designed for the passage of vehicular traffic.
- (ll) **Snowmobile** shall be as defined in The Highway Traffic Act, Revised Statutes of Saskatchewan 1965 and amendments thereto.
- (mm) **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.
- (nn) **Utility Manager** means the Manager of Utilities of the Town of Eston.
- (oo) **Town** means the Town of Eston, in the Province of Saskatchewan.

- (pp) **Town Engineer** shall mean the Superintendent of Public Works for the Town of Eston and anyone acting or authorized by the Town Council or the Superintendent of Public Works to act on his behalf.
 - (qq) **Traffic** shall mean the movement of pedestrians, vehicles, or livestock, upon any public highway in the Town of Eston.
 - (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 by authority of the Council or the Police for the purpose of guiding, directing, warning or regulating traffic.
 - (tt) **Vehicle** means a vehicle as defined in The Highway Traffic Act.
 - (uu) **Handicapped Parking Area** means that street area adjacent to the curb designated by signs or markings as being for use by handicapped vehicles.
 - (vv) **Handicapped Vehicle** means a vehicle that has been designed or constructed or modified for use by a physically disabled person and includes conventional passenger vehicles displaying a special license plate or any other material issued by the Administrator of The Vehicles Administration Act to identify the vehicle as being used by or on behalf of a person with a physical disability.
- .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 Highway Traffic Act of the Province of Saskatchewan" as amended from time to time.

PART II - POLICE, EMERGENCY AUTHORITY, TRAFFIC CONTROL DEVICES

4. POLICE AUTHORITY

- .1 A Police Officer is hereby authorized to direct traffic in conformity with the provisions of this Bylaw and The Highway Traffic Act.
- .2 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 Highway Traffic Act.
- .3 Every person shall comply with any traffic signal or direction of a Police Officer given pursuant to this Section.

- .4 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

5. SCHOOL PATROLS

- .1 Authority is hereby delegated to the Police to organize, train and equip school children for School Patrol duty as hereinafter outlined.
- .2 The Police may arrange that all or any portion of any highway abutting on the grounds of any school within the City may be patrolled by such School patrol at certain times during any school day, and in the manner he may authorize and direct.
- .3 Every person in charge of a vehicle shall, when approaching a school area then being patrolled by a School Patrol, reduce his speed and proceed with caution waiting for the obeysance of signals as given by such Patrol member.

6. EMERGENCY POWERS - FIRE DEPARTMENT

- .1 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.

7. TEMPORARY CLOSING OF STREETS

- .1 Any portion of a public highway may be temporarily closed to vehicular traffic by the Police or the Town Engineer in order that pedestrians may have the exclusive use thereof.
- .2 Notwithstanding any other provisions of this Bylaw to the contrary, the Police and/or the Town Engineer 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.
- .3 Notwithstanding any other provisions of this bylaw to the contrary, the Town Engineer 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 Town, 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.
- .4 Notwithstanding any other provisions of this bylaw to the contrary, the Town Engineer shall have the authority to designate and locate loading zones on any street in the Town of Eston, provided that within thirty (30) days after same have been designated or located, Council by resolution has formally authorized the same.

- .5 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.
- .6 No person shall park a vehicle on any public highway or portion thereof on which parking is temporarily prohibited by the Police or the Town Engineer under the provisions of Part II of this Bylaw.

8. AUTHORITY OF COUNCIL

- .1 The Council shall have the right at all times by resolution 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 Town and to designate playgrounds and recreational areas.

9. ERECTION OF SIGNS AND SIGNALS

- .1 The Town Engineer 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 Town of Eston, provided that within a period of thirty (30) days of the erection of such signs and signals the Town Engineer receives authorization by resolution of Council for the continuous erection of such signs and signals.
- .2 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 or Fireman acting under this Bylaw.
- .3 No person other than the Town Engineer or a Police Officer, unless authorized by the Council, shall erect or maintain on any public highway in the Town of Eston any warning or direction sign, marker, signal or light.
- .4 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.
- .5 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.

10. PEDESTRIAN CORRIDOR

- .1 Council by resolution may authorize the establishment of a pedestrian corridor as per Schedule I.
 - (a) 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 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.

11. PARADES

- .1 No parade shall be held without first obtaining consent from the Council of the Town of Eston designating and approving the hour and route of the parade.
- .2 Application for consent for a parade shall be made in writing to the Clerk of the Town, 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 Police of the aforesaid matters.
- .3 No driver of a vehicle nor 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.

12. FUNERAL PROCESSIONS

- .1 The lead vehicle in a funeral procession shall carry two small flag markers, one to be mounted on each side of the front bumper thereof. Each such flag marker shall be plainly marked with the word "Funeral".
- .2 Notwithstanding anything elsewhere in this Bylaw contained, the following conditions shall apply to the use of the curb and space adjacent to any funeral parlor or other place where a funeral is to be held.
 - (i) Such conditions shall be applicable for three hours prior to and during actual funeral service.
 - (ii) The Police may authorize the person in charge of any funeral to place markers along the curbs on either or both sides of the street adjacent to the parlor or other place where a funeral is to be held, for such distance in each case as the Police may designate. Such curb markers shall be marked "Reserved for Funeral Procession" and during the time the same are lawfully in place no person shall park a vehicle between the curb points so marked unless it is to be part of such funeral procession provided that nothing herein shall make it an offence for any person to fail to remove therefrom a vehicle previously lawfully parked.
- .3 All vehicles in a funeral procession shall have their four way hazard flashers on irrespective of the time of day.

13. STOP STREETS

- .1 All streets set out in Schedule "A" attached hereto and forming part of this Bylaw are established as "stop" streets and the erection of stop signs on the said streets by the Town Engineer is hereby authorized.

14. YIELD STREETS

- .1 All streets set out in Schedule "B" attached hereto and forming part of this Bylaw are established as "yield" streets and the erection of yield signs on the said streets by the Town Engineer is hereby authorized.

15. HANDICAPPED PARKING AREA

- .1 Handicapped vehicles are exempt from the provisions of this Bylaw as they apply to parking on all streets or portions as established by resolution of Council and the erection of signs marking the areas on the said streets by the Town Engineer is hereby authorized.

16. AMENDMENT OF SCHEDULES

- .1 Any or all schedules to the Bylaw may be amended or substituted from time to time by Council.

PART III - PEDESTRIAN RIGHTS AND DUTIES

17. OBSTRUCTING SIDEWALK OR ROADWAY

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

18. STREET PRESENTATIONS

- .1 The Police may approve presentations or gatherings on the street that may partially obstruct the free passage of traffic.

19. NOISE PROHIBITED

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

20. PEDESTRIAN CROSSINGS

- .1 Pedestrians wishing to cross at a pedestrian crosswalk shall signify their intention by stepping from the curb into the crosswalk. All traffic will yield the right of way to the pedestrian in the crosswalk.

21. USE OF STREETS FOR BUSINESS

- .1 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, including a vehicle, on any public highway or sidewalk or boulevard in the Town of Eston.

- .2 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 Town.
- .3 The 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.

22. BICYCLES, CARTS, WAGONS AND ANIMALS

- .1 Every person propelling a bicycle, push cart, wagon 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.
- .2 No person shall leave a horse unattended on a public highway.

PART IV - STOPPING STANDING AND PARKING

23. STOPPING PROHIBITED IN SPECIFIED PLACES

- .1 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 10 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.

24. PARKING

- .1 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 meters of entrance of any alley or lane on all streets where parallel parking is permitted

- (c) within 3 meters of a fire hydrant measured parallel to the curb
- (d) obstructing any private driveway
- (e) in any place mentioned designated by resolution of Council where an appropriate sign has been placed.
- (f) within 6 meters of block corners at intersections on streets where parallel parking is permitted
- (g) at the rear of any building immediately in front of its entrance or exit or on any street or location in front of the entrance or exit to any building
- (h) 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 Town Engineer or Town 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 meters on either side of any sidewalk crossing.
- (m) No person shall double park any vehicle upon any public highway in the Town.
- (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.

.2 No person shall park or cause to be parked any vehicle:

- (a) with the engine running on any highway in the City unless the vehicle's emergency brake is engaged; and
 - i) The vehicle's transmission is engaged in either "Park" or "Neutral" and either;
 - ii) All the doors of the vehicle are locked, or
 - iii) There is a person in the vehicle of the age of sixteen (16) years or over.

- (b) No person shall leave a motor vehicle unattended and unlocked without first removing the keys from the ignition thereof.

25. METHOD OF PARKING

- .1 Except when necessary in obedience to traffic regulations or traffic signs or signals, or as indicated in Subsection 2, 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.
- .2 Angle parking is permitted on Main Street from Railway Avenue to Fourth Avenue South.

26. PARKING TIME LIMITED

- .1 No person shall park any vehicle for a longer time on any street than provided in Section 2 or by traffic signs indicating the duration of parking in a specified location.
- .2 No vehicle shall be parked on any street or avenue in the Town of Eston for an uninterrupted period of time longer than ninety-six (96) hours.
- .3 Any vehicle parked for an uninterrupted period of time longer than ninety-six (96) hours on any street may be hauled away at the expense of the owner thereof.

27. ESTABLISHMENT OF SPECIAL PARKING ZONES

- .1 Council by resolution may authorize the establishment restricted parking 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 restricted parking zone shall be designated by appropriate signs and the Town Engineer is hereby authorized to erect the appropriate signs.
- .2 Council can by resolution designate no parking zones between the hours of 9:00 p.m. and 7:00 a.m.

28. APPLICATION FOR SPECIAL PARKING ZONES

- .1 Anyone who wishes to have a special parking zone established shall apply in writing to the Town Clerk indicating the location and conditions being requested as well as the reason for the request.
- .2 The Town Clerk shall submit all applications to Town Council.
- .3 If the Town Council approves the application and passes a resolution to authorize the special parking zone, proper signs shall be erected by the Town. The cost of the signs may be charged to the applicant at the discretion of Council.

29. VEHICLES PROHIBITED FROM PARKING IN SPECIAL PARKING ZONES

- .1 No person shall park any vehicle other than the designated vehicle in a special parking zone, but private automobiles may stop in any special parking zone for the purpose of, and while, actually loading and unloading passengers.
- .2 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.
- .3 No person shall park any vehicle in a Handicapped Zone other than a vehicle that has been described as a Handicapped Vehicle in Section 3(1) Subsection (v.v.).

30. RESTRICTED PARKING OF MOTOR VEHICLES

- .1 No person shall park a motor truck, motor bus or vehicle excepting private passenger automobiles, exceeding 10 meters in length on any public highway in the Town excepting:
 - (a) Railway Avenue
 - (b) any public parking lot.
- .2 No person shall angle park a vehicle exceeding 6.10 meters in length on Main Street where angle parking is permitted.

31. PARKING BY FIRE HYDRANTS

- .1 No person shall park within 6 meters of a fire hydrant at any time.
- .2 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.

32. UNATTACHED TRAILER OR SEMI-TRAILER PARKING

- .1 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 Town-owned equipment, or private trailers not exceeding 8 meters in length in residential areas only.
- .2 Time limit on the exceptions provided shall not exceed ninety-six (96) hours.

33. PARKING OF UNLICENSED VEHICLES

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

34. NO IMMOBILIZED VEHICLES ON HIGHWAY

- .1 Vehicle repairs including changing of tires shall not be made on any public highway unless in the case of emergency repair.
- .2 No person shall leave any vehicle unattended for more than one (1) hour 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.

35. GENERAL STANDING PROHIBITIONS

- .1 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.

PART V - RULES FOR DRIVING

36. 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.

37. WEATHER CONDITIONS AFFECTING STREETS

- .1 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.

38. U-TURNS

- .1 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.
- .2 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 or a four way stop intersection. All highway intersections set out in Schedule "C" attached hereto and forming part of this Bylaw, are established as intersections where no U-Turn can be made, and the Town Engineer is hereby authorized to erect the appropriate signs.
- .3 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.

39. TRAFFIC NOT TO BE OBSTRUCTED

- .1 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.
- .2 A person operating a vehicle at a speed of less than 20 km/hr. shall keep as close as practicable to the right curb of the highway on which they are traveling.

40. STOPPING WHEN THE INTERSECTION IS OBSTRUCTED

- .1 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.

41. VEHICLE BACKED TO CURB

- .1 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.

42. DELIVERIES IN LANE OR ALLEY

- .1 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.

43. 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 Town of Eston at a greater speed than the speed limits set forth in Subsection (a), (b), (c) and (d) of this Section.
 - (a) Subject to Subsection (b), (c) and (d) no person shall operate a vehicle within the corporate limits of the Town of Eston at a greater speed than Forty (40) kilometres per hour unless otherwise posted.
 - (b) No person shall operate a motor vehicle at a greater speed than Thirty (30) kilometres per hour between the hours of 8:00 a.m. and 10:00 p.m. daily:
 - (i) on Seventh Avenue from First Street West to Third Street West

- (ii) on Third Street West from Second Avenue South to Fourth Avenue South
 - (iii) on Main Street South from Seventh Avenue to the Northerly intersection with Larson Crescent and Main Street.
- (c) No person shall drive any vehicle at a rate of speed in excess of Twenty (20) kilometres per hour on any roadway in the fairgrounds (Parcels B, G and P) and school grounds.
- (d) No person shall drive any vehicle at a rate of speed in excess of fifty (50) kilometres per hour on the following locations:
- (i) Highway 44 - Railway Avenue
 - (ii) Highway 30 - 2nd Street South East

44. EMERGENCY VEHICLES

- .1 An operator of a vehicle shall not follow any fire engine, ambulance, or other emergency vehicle at a distance of less than 50 meters when such apparatus is responding to an alarm and/or when using a flashing light or siren.
- .2 An operator of a vehicle shall not park within 50 metres of a Fire Truck engaged in fighting a fire or other emergency activity. At the direction of the Fire Chief the Town Engineer or the Police may close a street and remove all vehicles in order to deal with an emergency.
- .3 No operator of a vehicle shall permit such vehicle to cross over or interfere with any fire hose.

45. RIDING OR DRIVING ON SIDEWALK PROHIBITED

- .1 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 Town Engineer.

46. ENTERING AN EXIT

- .1 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.

47. LIVESTOCK, HAZARDOUS OR OBNOXIOUS LOADS

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

48. DEBRIS ON STREETS

- .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 Town of Eston.
- .2 No person shall throw glass or debris on any street, playground, sidewalk, boulevard or parking lot.

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

49. BICYCLE AND MOTORCYCLE REGULATIONS

- .1 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.
- .2 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.
- .3 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.
- .4 No person shall ride a bicycle or motorcycle upon a sidewalk or boulevard, but may ride over an approach or sidewalk crossing.
- .5 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.
- .6 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.
- .7 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.

50. SKATEBOARD REGULATIONS

- .1 No person shall skateboard on a street, sidewalk or public place within the Town of Eston in a manner to provide a risk to others or interfere with pedestrians or vehicle traffic.

51. USE OF SLEDS, COASTERS OR SIMILAR DEVICES

- .1 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 who is walking from pulling a sleigh on which a person is riding.

52. IMPOUNDING OF BICYCLE, SLED, SKATEBOARD, COASTER

- .1 The Police may at their discretion impound or cause to be impounded any bicycle, skateboard, sled, coaster or similar device and waive the penalty set forth in Section 63 as follows:
- (a) for any offence under Section 49 (1) to (8) inclusive or Section 50 and Section 51 of this Bylaw for a period up to but not exceeding seven (7) days.

53. SNOWMOBILES AND ALL TERRAIN VEHICLES

- .1 No person may operate or park a vehicle, snowmobile recreation vehicle, or all terrain vehicle on Public Reserve.
- .2 The provisions of Subsection (1) shall not apply to maintenance vehicles or vehicles using a designated parking area.

PART VII - REGULATIONS RESPECTING EQUIPMENT AND STREET OBSTRUCTION

54. HEAVY MACHINERY, VEHICLES WITH SPIKES

- .1 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 Town Engineer, 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 Town Engineer 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.

55. SIZE OF LOADS

- .1 No person shall permit a load exceeding in width two and one half (2.5) meters or four (4) meters in height or twenty (20) meters in length, except Town owned equipment, to be moved over any public highway unless authorized by a special permit issued by the Town Engineer pursuant to this or any other Bylaw of the Town. This provision does not apply to those areas of Town subject to regulations under The Highways Act.
- .2 Section 55.1 does not apply to any farm equipment, farm machinery or grain bin being towed or self propelled between sunrise and sunset except:
 - (a) where it extends or protrudes to the left of the centre line of the main travelled portion of the street to such an extent that oncoming traffic is not able to proceed

56. CONDUCT OF VEHICLE

- .1 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.

57. TRANSPORT OF MATERIALS

- .1 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 .

58. OBSTRUCTING VISION OF TRAFFIC

- .1 No person shall permit steam, smoke, vapour or any other gaseous substances to escape from lands or buildings onto a highway so as to obstruct the vision of or otherwise endanger traffic thereon.
- .2 No person shall construct any fence, sign or structure or allow any tree or display to be placed so as to obstruct the view of site lines of any street or lane.

PART VIII - TRUCK REGULATIONS

59. HEAVY VEHICLE ROUTE, WEIGHT RESTRICTIONS

- .1 Council may by resolution, from time to time designate certain public highways within the boundaries of the Town of Eston as heavy vehicle routes.
- .2 The public highways set out in Schedule "D" 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 and the load, on the road surface shall not exceed the following, namely:
- (i) for a two axle truck or a two axle passenger carrying motor vehicle 13,700 kg.
 - (ii) for a three axle truck or a three axle passenger carrying motor vehicle 20,000 kg.
 - (iii) for a four axle truck 25,500 kg.
 - (iv) for any semi trailer unit or combination of vehicles other than those included in clauses (i), (ii), and (iii) 54,500 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 10,000 kg.
- .4 The maximum weight permitted, including the weight of the vehicle, on the road surface, other than a heavy vehicle route shall not exceed 8 tonnes and the erection of signs for the said streets is hereby authorized.
- .5 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.
- .6 Whenever it shall be necessary to transport a non-divisible load, and which exceeds the weight restrictions set out in Subsection (3) or exceeds 20 meters total length over the streets or alleys of the Town, the same shall be done only after issuance of a special permit for a single trip with the load so to be transported. The Town Engineer is hereby authorized upon application to grant such special permit which shall be in writing for the moving of any non-divisible load, 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 Town Clerk payable to the Town and conditioned so as to save the Town 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 there under and further condition that the grantee shall restore at his own cost to a condition satisfactory to the Town Engineer 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 Town Engineer in granting such permit shall, whenever it may appear to him necessary to do so, in order to protect the pavement of the Town

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 Town or its property.

- .7 Whenever a vehicle passing over any street or alley of the Town 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.
- .8 In any prosecution for a violation of the provisions of this section the onus of proof shall be on the accused.
- .9 The Police 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 or stationary scale or may require the person in charge of the vehicle to take the vehicle to the nearest scale.
- .10 The provisions of this Section shall not apply to any persons operating a heavy vehicle owned by the Town of Eston while actually in use in the service of the Town.
- .11 This Section shall not apply in the case of any vehicle owned or hired by the Town, or which is owned or hired by any person who is carrying out a contract or contracts within the Town for the purpose of any Public Works of the Town provided however, that in the latter case such vehicle must be actually used in connection with such Public Works or works.

PART IX - PENALTIES

60. PERSONS COMPLYING WITH BYLAW

- .1 A person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given there under, shall commit an offence and be liable to the penalties herein provided for.

61. OWNER OF MOTOR VEHICLE

- .1 The owner of a motor vehicle as defined by The Highway Traffic 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.

62. 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 Town Engineer, 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 Town 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.

63. PENALTIES

- .1 Any person convicted of a breach of the provisions of this Bylaw, other than Part IV Parking, shall forfeit and pay at the discretion of the convicting Judge of the Magistrate's Court or Justice of the Peace having jurisdiction in the Town of Eston, a penalty not less than One Hundred (\$100.00) Dollars and not more than Five Thousand (\$5,000.00) Dollars and upon default of payment thereof, the person convicted may be committed to a jail or to the Provincial Correctional Centre, or to a public lockup for any time determined by the Judge of the Magistrate's Court or the Justice of the Peace, not exceeding thirty (30) days, unless the penalty and costs including the costs of committal and of the conveyance of the person convicted to the said jail, Provincial Correctional Centre, or lock-up are sooner paid.

- .2 Notwithstanding the provisions of Section 63.1 to the contrary, any person who violates Section 59 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) Dollars for each one hundred pounds or fraction thereof by which the actual gross weight exceeds one thousand (1,000) pounds more than the prescribed maximum gross weight and in default of payment, to imprisonment for a term of not less than seven (7) days or more than thirty (30) Days.
- .3 Notwithstanding the provisions of Section 63.1 to the contrary, any person who violates Part IV Parking hereof is guilty of an offence and liable to summary conviction to a fine of not less than Fifty (\$50.00) Dollars plus Two and in default of payment, to imprisonment for a term of not less than seven (7) days or more than thirty (30) Days.

64. VOLUNTARY PENALTIES

- .1 Notwithstanding the provisions of Section 63 to the contrary, any person who has committed or is alleged to have committed an offence under this Bylaw may pay a voluntary penalty of \$50.00 for Section 63.1 or \$25.00 for Section 63.3.

65. SUMMARY OFFENCES PROCEDURES

- .1 Notwithstanding the provisions of Section 63 to the contrary under this Bylaw, the provisions of the Summary Offences Procedures Act Regulations 1991, as hereafter may be amended, will apply to such offence.

66. SUB-HEADING FOR CONVENIENCE

- .1 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.

67. REPEAL OF FORMER BYLAWS

- .1 Bylaws 11/1987, 9/1988, 03/1991, 11/1991, 05/1990, 2/1998, 6/1999, 5/2001, 10/2003 and 04/2005 of the Town of Eston are hereby repealed.

68. COMING INTO FORCE

- .1 This bylaw shall come into force on the date of approval by The Saskatchewan Highway Traffic Board.

.....
Mayor

.....
Administrator

Certified a true copy of Bylaw #2-2006
adopted by resolution of Council on
March 8, 2006 as amended by Bylaw #4-2006
and Bylaw #6-2010.

Seal

.....
Administrator

SCHEDULE "A"
BYLAW 2-2006
STOP STREETS

<u>Street or Avenue</u>	<u>Intersected by Street or Avenue</u>
Main Street	Railway Avenue
First Street East	Railway Avenue
Second Street East	Railway Avenue
First Street West	Railway Avenue
Second Street West	Seventh Avenue
Third Street West	Railway Avenue
Lane at South End Gatenby Subdivision	Second Street East
Avenue A	Second Street East
First Avenue	Second Street East
Second Avenue	Second Street East
Third Avenue	Second Street East
Fourth Avenue	Second Street East
Fifth Avenue	Second Street East
Sixth Avenue	Second Street East
Seventh Avenue	Second Street East
Kay Lane	Second Street East
Seventh Avenue	Third Street West
Service Road Entrance on Highway 44 North of Lot 4, Block B	

FOUR WAY STOP STREETS

<u>Street or Avenue</u>	<u>Intersected by Street or Avenue</u>
Second Avenue SW	First Street SW
Fifth Avenue SW	Third Street SW

SCHEDULE "B"
YIELD STREETS

<u>Street or Avenue</u>	<u>Intersected by Street or Avenue</u>
Second Avenue	Third Street West
Third Avenue	Third Street West
Fourth Avenue	Third Street West
Sixth Avenue	Third Street West
Second Street West	Fifth Avenue West
First Street West	Third Avenue West
First Street West	Fourth Avenue West
First Street West	Fifth Avenue West
First Street West	Sixth Avenue West
First Street West	Seventh Avenue West
First Street East	Fifth Avenue East
First Street East	Seventh Avenue East
Third Street West	Avenue A North
Second Street West	Avenue A North
Third Street West	Avenue A North
Main Street	Avenue A North
Larson Crescent	Main Street
Kay Lane	Main Street
Fairgrounds Entrance	Third Street West
Seventh Avenue West	Main Street
Seventh Avenue East	Main Street

SCHEDULE "C"
BYLAW 2-2006
NO U - TURN INTERSECTIONS

<u>Street or Avenue</u>	<u>Intersected by Street or Avenue</u>
Railway Avenue	All Streets
Main Street South	First Avenue
Main Street South	Second Avenue
Main Street South	Third Avenue
Main Street South	Fourth Avenue
Main Street South	Fifth Avenue
Main Street South	Sixth Avenue
Main Street South	Seventh Avenue
2 nd Avenue South	1 st Avenue West
5 th Avenue South	3 rd Street West

SCHEDULE "D"
HEAVY VEHICLE ROUTES

Highway 44
Avenue A
Avenue B West
Second Street East from Highway 44 to Avenue A
Main Street from Avenue A North
First Street West from Avenue A North
Second Street West from Avenue A North
Third Street West from Highway 44 North