



VILLAGE OF TORQUAY

Bylaw No 2014-03

A bylaw to regulate the flow of traffic upon the streets of the Village of Torquay and for the preservation of order thereon.

The Council of the Village of Torquay, in the Province of Saskatchewan, enacts as follows:

1. Definitions under the Traffic Bylaw:

- (1) 'Village' means the Village of Torquay.
- (2) 'Operator' means any person who drives or operates a vehicle upon any street in the Village of Torquay.
- (3) 'Pedestrian' means any person on foot.
- (4) 'Designated Officer' shall mean the person designated by the Council of the Village of Torquay, or any member of the Royal Canadian Mounted Police Force.
- (5) 'U-Turn' means the turning of a vehicle at an intersection or between intersections in such a manner that the vehicle at the end of the turning movement is travelling in the opposite direction to that which it was prior to the turning movement.
- (6) 'Crosswalk' means, the same as defined in the Saskatchewan Highway Traffic Act.
- (7) 'Sidewalk' means, that portion of the street set aside for the exclusive use of pedestrians.
- (8) 'Fire Hydrant' means, a device connected to a water main, which is used to assist in the combating of fire.
- (9) 'Right of way' shall have the same meaning as in the Saskatchewan Highway Traffic Act.
- (10) 'Vehicle' shall have the same meaning as in the Saskatchewan Highway Traffic Act.
- (11) 'Traffic sign' shall mean all signs, or signals and markings heretofore or hereafter placed or erected for the purpose of regulating or directing traffic.
- (12) 'Motor Vehicle' shall have the same meaning as that of the Saskatchewan Highway Traffic Act.
- (13) 'Highway' means a highway defined in the Vehicles Act.
- (14) 'Dangerous Goods' means Dangerous Goods as ascribed in the Dangerous Goods Transportation Act.

2. Speed:

- (1) No person shall drive a vehicle at a greater rate of speed than 40 kilometres per hour in the Village of Torquay, excluding that portion of Provincial Highways #350 within the Village limits as provided for by the Highway Traffic Board.
- (2) No person shall drive a vehicle at a greater rate of speed than 30 kilometres per hour in designated playground areas, or in designated school zone areas in the Village of Torquay.
- (3) No person shall drive a vehicle at a greater rate of speed than 20 kilometres per hour on Railway Avenue.
- (4) The provisions of this Section do not apply to a police officer or police constable when engaged in the performance of his duties.
- (5) Anyone violating the provisions of this section is guilty of an offence and liable to a fine as

set out in the Summary Offences Procedures Act of Saskatchewan.

3. Parking:

(1) Parking shall have the same meaning as in the Saskatchewan Highway Traffic Act and shall be regulated by the Council for the Village of Torquay. The effect of the said regulations so made shall be posted by means of signs on and about the Village of Torquay directing the manner and places of parking, and directing the duration that such parking maybe allowed.

(2) No operator shall park a vehicle in any of the following places:

(a) In an alley.

(b) In front of a private driveway.

(c) Within an intersection.

(d) On a crosswalk.

(e) On a sidewalk or unpaved boulevard.

(f) Within four point five (4.5) metres of the corner of a block at an intersection, except at alleys.

(g) Within four point five (4.5) metres of the driveway entrance to the fire station.

(h) Within four point five (4.5) metres of a fire hydrant.

(i) When a fire alarm is being sounded no person shall park within one half (1/2) block of the entrance to the fire station except if they are a member of the Torquay and District Fire Department.

(j) Within one point five (1.5) metres of the entrance to an alley.

(3) No operator of a vehicle shall park such vehicle at any place where traffic signs have been placed prohibiting parking.

(4) No operator of a vehicle shall park such vehicle at any place on any street for a period exceeding twenty-four (24) hours continuously.

(5) No person shall park any unlicensed vehicle upon any street.

(6) No person shall park a vehicle on any street that interferes with the cleaning of the streets or snow removal. A designated officer may have such vehicle removed, and such removal shall be at the expense and risk of the owner of the vehicle.

(7) Any vehicle parked, placed, or left on any street contrary to subsection (3), (4) or (5) above, or contrary to any traffic sign may be removed by any designated officer or anyone appointed by the designated officer, and such removal shall be at the expense and risk of the owner of the vehicle.

(8) No person shall park on any street a vehicle displayed for sale.

(9) No person shall park by driving a vehicle to the left of the centre of the main travelled portion of the street.

(10) No person shall park a vehicle on any street as set out in Schedule "F" attached hereto and forming part of this bylaw.

(11) No person other than the owner, occupant, licensee or permittee of a private parking place or of private property, or a person duly authorized to do so by such owner, licensee, or permittee, shall cause any vehicle to be parked thereon.

(12) Penalties for violating the provisions of this section will be assessed in accordance with the general penalties section of this bylaw.

4. Parking of vehicles shall be permitted on the streets in the Village of Torquay as set out in Schedule "E" attached hereto and forming part of this bylaw.

5. Weight of Vehicles:

- (1) No person shall park any vehicle having a manufactured rated capacity in excess of one (1) ton on that portion of Main/Devon Street between Railway Avenue and Tavistock Avenue in the Village of Torquay, except school buses.
- (2) No person shall park any vehicle having a manufactured rated capacity in excess of one (1) ton on that portion of Railway Avenue between Highway 350 and Torbay Street in the Village of Torquay.
- (3) Weight restrictions shall coincide with Hwy 350 and Hwy 18 the least of the two. Road bans shall also be in effect, and coincide with Hwy 350 and Hwy 18.

6. Size of Loads:

- (1) No load exceeding in width eight and one-half (8 1/2)feet, in height thirteen and one-half (13 1/2) feet, and in length sixty (60) feet, shall be moved over any street or alley unless a special permit issued in pursuance to this or any other bylaw of the Village, except loose hay, straw or fodder carried on a vehicle other than a motor vehicle which may have a width of ten (10) feet.

7. Heavy Vehicle Routes:

- (1) All streets in the Village of Torquay as set out in Schedule “ D “ attached hereto and forming part of this bylaw shall be known as Heavy Vehicle Routes.
- (2) No person shall drive a heavy vehicle on any street or portion thereof in the Village of Torquay except as set out in Schedule “ D “ attached hereto and forming part of this bylaw.
- (3) This section shall not apply to any person operating a heavy vehicle owned or employed by the village while actually in use in the service of the village.
- (4) This section shall provide for heavy commercial and delivery trucks to make deliveries and pickups within the Village of Torquay, except on that portion of Main/Devon Street between Railway Avenue and Tavistock Ave, provided that where the location of such deliveries or pickups within the Village of Torquay is:
 - (a) On a heavy vehicle route, such heavy commercial and delivery trucks making such deliveries or pickups shall remain on a heavy vehicle route at all times during the course of such delivery or pickup: and
 - (b) Not on a heavy vehicle route, such heavy commercial and delivery trucks making such deliveries or pickups shall, during the course of such deliveries or pickups, remain on a heavy vehicle route until arriving at the closest point on a heavy vehicle route to the location of such delivery or pickup and thereafter, upon leaving the heavy vehicle route, shall travel the shortest and most direct route to the location of such delivery or pickup and upon completing such delivery or pickup shall travel the shortest and most directroute from the location of such delivery or pickup to the closest point on a heavy vehicle route.

8. Vehicles Obstructing Traffic:

- (1) No person shall park any vehicle whether attended or unattended on a street or sidewalk in such a manner as to interfere with the movement of vehicular or pedestrian traffic.
- (2) Whenever a designated officer finds a vehicle on a street or sidewalk in contravention of

the provisions of this section he may remove the vehicle at the owners risk and expense, or require the driver or operator or person in charge of the vehicle to move it.

9. Pedestrians:

(1) Every pedestrian crossing a street at any point other than at an intersection crosswalk shall yield the right-of-way to vehicles upon the street, provided that this provision shall not relieve the operator of a vehicle from the duty to exercise due care for the safety of pedestrians.

(2) No person shall stand on a street for the purpose of soliciting a ride from the operator of any vehicle.

10. Splashing Pedestrians:

(1) When water, mud, or slush is laying on any street in the town the driver or operator of every vehicle thereon shall so reduce the speed of their vehicle so as to prevent splashing any pedestrian.

11. Driving and Riding Animals:

(1) Every person riding or driving an animal upon any street shall be subject to the provisions of this bylaw applicable to the operator of any vehicle, except where those provisions which by their very nature can have no application.

12. Refuse on Streets:

(1) Every person who throws or deposits or causes to be deposited any scraps of metal, or any rubbish, refuse, waste or litter upon any street or sidewalk is guilty of an offence and is liable to a fine as set out in the general penalties section 94 of the Saskatchewan Highway Traffic Act.

13. Lawful Obstruction:

(1) Any person who removes, defaces or in any manner interferes with any notice or obstruction lawfully placed on any street or sidewalk is guilty of an offence.

14. Obstructions:

(1) Any person who without lawful authority places or causes to be placed upon a street or sidewalk anything which causes an obstruction to the free unimpeded movement of pedestrian or vehicular traffic is guilty of an offence.

15. Traffic Signs:

(1) Subject to formal approval from the Highway Traffic Board, the Village Council may:

(a) By bylaw authorize the erection of traffic signs, signals markings and devices in the Village of Torquay as set out in Schedules "A", "B", "C", "D", "E", "F" attached hereto and forming part of this bylaw.

(b) By bylaw authorize to abolish or remove any traffic sign, signal marking or device within the Village of Torquay, and at its discretion to substitute others in place thereof in accordance with the intent and meaning of this section.

(c) Every person who removes, defaces or in any manner interferes with any sign or obstructions so lawfully placed is guilty of an offence.

16. Placing of Unlawful Signs:

(1) No person shall place or cause to be placed, or maintain or display upon or in view of any street any sign, signal or device which purports to be or is an imitation of or resembles a traffic sign or signal, or which attempts to direct the movement of traffic or which hides from view any traffic sign or signal so lawfully placed and any person doing so is guilty of an offence.

17. Driving on Sidewalks:

(1) No person shall ride, drive, lead, or back a horse, vehicle, or contrivance along or across any sidewalk except at regular crossing places unless written permission of a designated officer has been obtained, such permission only to be granted by the said designated officer in cases where he is satisfied that due precautions have been or will be taken by the applicant to protect the sidewalk from damage, and that the use thereof for such purpose will not cause any unwarranted obstruction to pedestrians.

(2) The owner, driver, operator or mover of any such horse, vehicle or contrivance who has obtained the permit mentioned in the above subsection is nevertheless responsible for all damages that may be caused to the sidewalks by reason of driving, operating, or moving of any such horse, vehicle or contrivance.

18. Vehicles Damaging Streets:

(1) No person shall operate or drive on any street:

(a) A vehicle having metal lugs or cleats projecting from the face of the wheels or tires thereof or;

(b) A vehicle having a caterpillar tread, unless the cleats or lugs have been removed therefrom so as to leave a completely smooth surface to the tread thereof, or;

(c) A vehicle having rubber tires, or rubber tracks, whether solid or pneumatic, unless such tires or tracks are in place and in condition as not to cause damage to streets.

19. Damage to Asphalt Curbing:

(1) Any person who causes damage to any asphalt curbing whether by means of vehicle or some other object in the Village shall be responsible for such damage and shall be guilty of an offence.

20. Damage to Streets:

(1) Any person who causes damage to any street shall be responsible for such damages and shall be guilty of an offence.

21. Hedges and Trees:

(1) The Village Council may on a report of a designated officer that a hedge, shrub or tree situated on or near a street corner is dangerous to traffic, by resolution order that such hedge, shrub or tree be removed or lopped to such a height as it may direct at the expense and risk of the owner.

22. Opening Vehicle Doors:

(1) No person shall;

(a) Open the door of a motor vehicle on a street without first taking due precautions to ensure that their act will not interfere with the movement or endanger any other vehicle, or

(b) Leave a door of a motor vehicle on a street open on the side of the vehicle available to moving traffic for a period of time longer than is necessary to load or unload passengers.

23. Unnecessary Noise in a Public Place:

(1) Every person who creates excessive or unusual noise in the operation of a vehicle in or near a public place in the Village of Torquay is guilty of an offence whether or not the noise is caused by the mechanical state of the vehicle or the manner in which the vehicle is operated and whether or not the vehicle is stationary or moving at the time when the noise is created.

24. Backing a vehicle:

(1) Every operator of a vehicle while backing shall exercise due care to avoid accidents.

25. Authority of a designated officer:

(1) The designated officer is authorized to direct all traffic in accordance with the provisions of this bylaw or in emergencies as public safety or convenience may require, and no person shall neglect or refuse to comply with any order, signal or direction of a designated officer.

(2) The provisions of this section shall also apply mutatis mutandis to the parking of vehicles on any street in the Village of Torquay.

26. U-Turns:

(1) No person driving a vehicle shall turn the vehicle so as to proceed in the opposite direction, at any street intersection as set forth in Schedule "A" attached hereto and forming part of this bylaw.

(2) No person driving a vehicle shall turn the vehicle so as to proceed in the opposite direction at any lane intersection.

27. Snowmobiles:

(1) Under provisions of the Snowmobile Act, it shall be lawful to operate a snowmobile between the hours of 6:00 a.m. and 11:00 p.m., using the shortest most direct route on any street or alley except Provincial highways.

28. Carrying of Dangerous Goods in Bulk:

(1) The Streets set out in Schedule 'H' to this bylaw are hereby established as Dangerous Goods Transportation Routes.

(a) No person shall operate a vehicle transporting or designed for the transporting of Dangerous Goods in bulk other than on dangerous goods transportation routes except while such vehicle:

(b) Is making collection or delivery, provided that the operator proceeds by the most direct route to or from the point of collection or delivery, as the case may be to or from the nearest dangerous goods transportation route:

(c) Is proceeding to and from a business for the purpose of repairs, servicing or refueling of such a vehicle provided that the operator proceeds by the most direct route to or from the business, as the case may be to or from the dangerous goods transportation route.

29. General Penalties Section:

(1) Where any person commits or alleged to have committed an infraction of any of the provisions of this bylaw the following procedure may be followed;

(a) A notice in a form to be approved by the Village Council may be given to such person requiring them to appear at the Village Office within thirty days from the date of the notice and to pay to the Village Administrator the sum specified in Schedule 'G' in lawful monies of Canada, as penalty for the specific infraction described in such notice. Compliance with such notice within the period of time prescribed therein shall relieve such person from liability to prosecution in Provincial Court of Saskatchewan for non-compliance to the infraction.

(b) Any person who fails to comply with the given notice shall be liable to prosecution in the Provincial Court of Saskatchewan as per the provisions of the *Summary Offences Procedure Act*.

(c) Non-compliance with any such notice shall not in any way effect or prejudice the right of the person named therein to defend any charge which subsequently be laid against him in respect to the infraction described in such notice.

(2) The expenses and costs (including, without limitation, legal fees incurred by the Municipality) of an action or measure taken by a municipality pursuant to this section are an amount owing to the municipality by the person who contravened the enactment or bylaw. In the event that such offender neglects or refuses to pay such expenses and costs within 30 (thirty) days of being notified of same, then the municipality may take any or all of the following actions for the said unpaid expenses and costs:

(a) If the offender has real property within the municipality, Council may add the unpaid expenses and costs to the tax roll of a parcel of land owned by the offender; and

(b) Bring civil action against the offender for the expenses and costs in a court of competent jurisdiction for the Province of Saskatchewan.

30. Repeal of Former Bylaws:

Bylaw No 2001-2, Bylaw No 2001-3, Bylaw No 9707

Mayor Mike Strachan

CAO Deschner

Certified a true copy of the bylaw
adopted by resolution of council on the
14th day of May, 2015.

Mayor/CAO