

TOWN OF HAMIOTA

By-law No. 3/2009

BEING A BY-LAW OF THE TOWN OF HAMIOTA TO PROVIDE FOR THE REGULATION OF TRAFFIC IN THE SAID MUNICIPALITY

WHEREAS “The Municipal Act”, S.M. 1996, c. 58 provides as follows:

Spheres of jurisdiction

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (d) municipal roads, including naming the roads, posting the names on public or private property, and numbering lots and buildings along the roads;
- (e) private works on, over, along or under municipal roads;
- (f) property adjacent to highways or municipal roads, whether the property is publicly or privately owned;
- (g) the operation of off-road vehicles on public or private property;
- (m) local transportation systems;
- (o) the enforcement of by-laws.

Content of by-laws under clause 232(1) (o)

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions

- (a) providing for procedures, including inspections, for determining whether by-laws are being complied with; and
- (b) remedying contraventions of by-laws, including
 - (i) creating offences,
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,
 - (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act,
 - (iv) seizing, removing, impounding, confiscating and selling or otherwise disposing of plants, animals, vehicles, or other things related to a contravention,
 - (v) charging and collecting costs incurred in respect of acting under subclause (iv),
 - (vi) imposing a sentence of imprisonment for not more than six months for the commission of offences or nonpayment of fines.

AND WHEREAS the Town of Hamiota is the traffic authority for streets and certain highways within its boundaries;

AND WHEREAS it is deemed to be in the best interest of the inhabitants of the Town of Hamiota that certain “*stop*” and “*yield*” signs be erected at certain intersections;

AND WHEREAS it is deemed to be in the best interest of the inhabitants of the Town of Hamiota that parking and the travel of certain vehicles on certain portions of the highway within the Town be regulated;

NOW THEREFORE the Council of the Town of Hamiota, in regular session assembled, hereby enacts as a By-law as follows:

1. That the Chief Administrative Officer and / or their designate are hereby authorized, empowered, and directed to do all acts as may be necessary to enact the terms of this By-law.

STOP SIGNS

2. That the Town of Hamiota erect, or continue with, the following stop signs:
 - a. At the intersection of Willow Avenue and First Street, to regulate the traffic entering First Street;
 - b. At the intersection of Lilac Avenue and First Street, to regulate the traffic entering First Street;
 - c. At the intersection of Poplar Bay and Lilac Avenue, to regulate the traffic entering Lilac Avenue;
 - d. At the intersection of Birch Avenue and First Street, to regulate the traffic entering First Street;
 - e. At the intersection of Eighth Street and Birch Avenue, to regulate the traffic entering Birch Avenue from the South;
 - f. At the northerly and southerly intersections of Eighth Street and Oak Avenue, to regulate the traffic entering Oak Avenue from both directions;
 - g. At the intersection of Ninth Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - h. At the intersection of Eighth Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - i. At the northerly and southerly intersections of Seventh Street and Maple Avenue, to regulate the traffic entering Maple Avenue from both directions;
 - j. At the intersection of Seventh Street and Fairground road, to regulate the traffic entering Fairground Road;
 - k. At the northerly and southerly intersections of Seventh Street and Oak Avenue, to regulate the traffic entering Oak Avenue from both directions;
 - l. At the intersection of Seventh Street and Birch Avenue, to regulate the traffic entering Birch Avenue;
 - m. At the intersection of Cedar Avenue and Seventh Street, to regulate the traffic entering Seventh Street;
 - n. At the intersection of Hospital Road and Birch Avenue, to regulate the traffic entering Birch Avenue;
 - o. At the intersection of Sixth Street and Lilac Avenue, to regulate the traffic entering Lilac Avenue;
 - p. At the intersection of Sixth Street and Oak Avenue, to regulate the traffic entering Oak Avenue;
 - q. At the intersection of Sixth Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - r. At the intersection of Fifth Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - s. At the northerly and southerly intersection of Fifth Street and Oak Avenue, to regulate the traffic entering Oak Avenue from both direction;
 - t. At the northerly and southerly intersections of Fifth Street and Birch Avenue, to regulate the traffic entering Birch Avenue from both directions;
 - u. At the northerly and southerly intersections of Fifth Street and Lilac Avenue, to regulate the traffic entering Lilac Avenue from both directions;

- v. At the intersection of Fourth Street and Birch Avenue, to regulate the traffic entering Birch Avenue;
 - w. At the northerly and southerly intersection of Fourth Street and Birch Avenue, to regulate the traffic entering Birch Avenue from both directions;
 - x. At the northerly and southerly intersections of Fourth Street and Oak Avenue, to regulate the traffic entering Oak Avenue from both directions;
 - y. At the intersection of Fourth Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - z. At the intersection Fourth Street and Cedar Avenue, to regulate the traffic entering Cedar Avenue
 - aa. At the intersection of Fourth Street and Fairground Road, to regulate the traffic entering Spruce
 - bb. At the intersection of First Street and Fairground Road, to regulate the traffic entering First Street;
 - cc. At the intersection of Fifth Street and Fairground Road, to regulate the traffic entering Fairground Road;
 - dd. At the northerly and southerly intersection of Third Street and Cedar Avenue, to regulate the traffic entering Cedar Avenue from both directions;
 - ee. At the intersection of Third Street and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - ff. At the northerly and southerly intersections of Third Street and Oak Avenue, to regulate the traffic entering Oak Avenue from both directions;
 - gg. At the northerly and southerly intersections of Third Street and Birch Avenue, to regulate the traffic entering Birch Avenue from both directions;
 - hh. At the northerly and southerly intersections of Third Street and Lilac Avenue, to regulate the traffic entering Lilac Avenue from both directions;
 - ii. At the intersection of Third Street and Willow Avenue, to regulate the traffic entering Willow Avenue;
 - jj. At the intersection of Second Street and Willow Avenue, to regulate the traffic entering willow Avenue;
 - kk. At the northerly and southerly intersections of Second Street and Lilac Avenue, to regulate the traffic entering Lilac Avenue from both directions;
 - ll. At the northerly and southerly intersections of Second Street and Birch Avenue, to regulate the traffic entering Birch Avenue from both directions;
 - mm. At the intersection of Second Street and Oak Avenue, to regulate the traffic entering Oak Avenue;
 - nn. At the intersection of First Street and Second Street, to regulate the traffic entering First Street;
 - oo. At the Easterly and Westerly intersections of Maple Avenue and First Street, to regulate the traffic entering First Street from both directions;
 - pp. At the intersection of Second Street W. and Maple Avenue, to regulate the traffic entering Maple Avenue;
 - qq. At the intersection of Second Street and Birch Avenue, to regulate the traffic entering Birch Avenue;
 - rr. At the intersection of Third Street and Birch Avenue, to regulate the traffic entering Birch Avenue;
 - ss. At the northerly, southerly, easterly, and westerly intersection of Seventh Street and Cedar Avenue.
 - tt. At the intersection of Cedar Avenue and 4th Street S.E. to regulate traffic entering Cedar Avenue.
 - uu. At the intersection of Oak Avenue and 9th Street S.E. to regulate traffic entering 9th Street.
3. That each stop sign erected shall be reflectorized pursuant to the requirements of the Highway Traffic Act.

OTHER TRAFFIC CONTROL SIGNS

4. That the Town of Hamiota erect or continue with, the following traffic control signs;

- a) Yield signs at the northerly and southerly intersections of Eighth Street and Pine Avenue, to regulate the traffic entering Pine Avenue;
- b) A Yield sign at the intersection of Pine Avenue and Seventh Street, to regulate the traffic entering Seventh Street;
- c) A Yield sign at the south west corner of the intersection of Ninth Street and Oak Avenue, to regulate the traffic entering Oak Avenue from the north;
- d) A Yield sign at the exit from the Fairground;
- e) A No “U Turn” sign on the south side of Maple Avenue at Fourth Street;
- f) A NO “U Turn” sign on the north west corner of the intersection of First Street and Maple Avenue;
- g) A crosswalk Sign at the intersection of Maple Avenue and First Street,
- h) A crosswalk sign at the intersection of Lilac Avenue and First Street.

PARKING

5. All vehicles shall parallel park along streets within the Town of Hamiota except for the following streets on which they will angle park:
 - a. Third Street from Maple Avenue to Oak Avenue
 - b. Fourth Street from Maple Avenue to Oak Avenue
6. No person shall park any vehicle:
 - a. On the south side of Maple Avenue from the east exit of Lot 3, Plan 6715 (Vanguard Credit Union) to Fourth Street;
 - b. On the south side of Birch Avenue between the back lane which enters Birch Avenue between 6th and 7th Street, East to the West boundaries of 8th Street.

ROUTES FOR TRUCK TRAVEL

7. All trucks shall be operated only over and along the streets or sections of streets set forth as truck routes on Schedule ‘A’ hereto or on such routes as designated by the Town.
8. Notwithstanding paragraph 7; trucks with a gross vehicle weight of less than 5,773 kilograms (12,727 lb.) may travel on all streets within the Town providing they are not pulling a trailer.

ENGINE RETARDER BRAKING SYSTEM

9. The use of any engine retarder braking system is prohibited within the Town limits.

CITATION OF VEHICLE PARKED OR LEFT IN VIOLATION OF BY-LAW

10. Whenever any motor vehicle is found parked or left in violation of any provision of this By-law, and such vehicle is not removed and impounded as provided for in this By-law, an Officer, on finding such vehicle, shall conspicuously affix a traffic citation to such vehicle. Such citation shall contain the license plate number and such other information describing the vehicle as the officer determines to assist in identifying the owner or operator of the vehicle.
11. any person who contravenes, or refuses, neglects, omits, or fails, to obey or observe, any provision of THIS By-Law herein, is guilty of an offence and liable to a minimum fine of \$100.00, but in any case not to exceed \$1,000.00; and
12. where such contravention, refusal, neglect, omission, or failure to obey or observe continues for more than one day, the person is guilty of a separate offence for each day that it continues.

DONE AND PASSED by the Council of the Town of Hamiota in regular session assembled this _____ day of _____, 2009.

Mayor

Chief Administrative Officer

Read a first time this 4th day of March, AD 2009

Read a second time this _____ day of _____, AD 2009

Read a third time this _____ day of _____, AD 2009