

BY-LAW No. 20-07

– of –

THE RURAL MUNICIPALITY OF SPRINGFIELD

Being a By-Law to regulate the: parking, stopping or standing, and special use of vehicles on certain municipal roads in the Rural Municipality of Springfield.

WHEREAS subsection 232(1)(b) of The Municipal Act provides that a Council may pass By-Laws for municipal purposes respecting municipal roads;

AND WHEREAS subsection 249(1) of The Municipal Act provides, in part, that a person who contravenes a by-law of a municipality is guilty of an offence;

AND WHEREAS subsection 249(2) of The Municipal Act provides that where a contravention continues for more than one day, the person is guilty of a separate offence for each day it continues;

AND WHEREAS Manitoba Regulation 50/97 of March 9, 1997 provides that the maximum fine that a council may impose in respect of a contravention of a By-Law is One Thousand (\$1,000.00) Dollars;

AND WHEREAS it is deemed necessary and expedient to regulate the standing, stopping, or parking of vehicles on certain municipal roads;

NOW THEREFORE, the Council of the Rural Municipality of Springfield enacts as a By-Law, here in after referred to as the Rural Municipality of Springfield Traffic By-Law, as follows:

1. Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in this by-law have the same meaning as the same words and expressions in The Highway Traffic Act of the Province of Manitoba
2. THAT Council from time to time, by resolution, may amend the schedule attached to this by-law.
3. The schedules to this by-law are part of the by-law and shall be identified by the signature of the Mayor and Council of The Rural Municipality of Springfield.

DEFINITIONS

4. In this By-Law

“**Chief of Police**” means the Chief of Police of The Rural Municipality of Springfield or such person as may be authorized by the said Chief

of Police to exercise some or all of the powers vested in him/her by this by-law

- “Curb”** means the lateral line or edge of a roadway.
- “Director”** means the Director of Public Works of the RM of Springfield
- “Driver”** means a person who drives or is in actual physical control of a vehicle and includes anybody corporate in respect of vehicles driven by its officers, employees, or agents in the course of their employment, and the expressions “drive” and “driving” have a corresponding meaning.
- “Loading Zone”** means that portion of the roadway adjacent to the curb designated such by traffic control devices, intended for the loading or unloading of passengers or freight.
- “Park”** when prohibited, means to stand a vehicle whether occupied or not, except
- (a) when it is caused to stand temporarily for the purpose of, and while actually engaged in, loading or unloading, or in obedience to a peace officer or a traffic control device, and
- “Parking”** has a corresponding meaning.
- “Parade”** means any procession or body of pedestrians excepting members of Her Majesty’s Armed Forces, numbering more than thirty (30) standing, marching, or walking anywhere on a street, or any group of vehicles except a funeral procession or vehicles of Her Majesty’s Armed Forces, numbering ten (10) or more stopped or moving anywhere on a street.
- “Peace Officer”** means a member of the Royal Canadian Mounted Police and any other police officer, police constable, municipal constable, municipal police constable or constable or any other person employed in the preservation and/or maintenance of the public peace, including a By-Law Enforcement Officer.
- “Private approach”** means that portion of a sidewalk and/or boulevard lawfully improved or designed for the passage of vehicular traffic.
- “Truck”** means a motor vehicle or semi-trailer truck, that is constructed or adapted to carry goods, wares and merchandise, freight or commodities, but not passengers or baggage, and that has more than four tires.
- “Truck tractor”** means a motor vehicle designed and used primarily for towing other vehicles, and not so constructed as to carry a load

other than the driver thereof and part of the weight of any vehicle so towed including the load thereon, and that has more than four tires.

"Vehicle" means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power, or a device used exclusively upon stationary rails or tracks, and shall include special mobile machines and implements of husbandry.

INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL DEVICES

5. The Director of Public Works shall place and maintain or cause to be placed and maintained all traffic control devices authorized by Council.

TEMPORARY TRAFFIC CONTROL DEVICES

6.
 - (a) The Director shall place and maintain or cause to be placed and maintained temporary traffic control devices to prohibit or regulate traffic in an emergency or for the purposes of carrying out any authorized work on the street including street cleaning and snow removal operations or as authorized by the Chief of Police to insure orderly movement of traffic, to prevent injury or damage to persons or property, or to permit action in any emergency.
 - (b) Any person undertaking authorized work of any form within a street or in any way interfering with or obstructing the normal use of a street shall place and maintain temporary traffic control devices as prescribed in the Manual of Temporary Traffic Control, or as directed by the RM of Springfield.

COMPLIANCE WITH TEMPORARY TRAFFIC CONTROL DEVICES

7. No person shall drive a vehicle on any street or portion of street that is barricaded or otherwise indicated as being closed to vehicular traffic.
8. Unless otherwise directed by a peace officer, pedestrians and drivers shall obey the direction, instruction, limitation, restriction, or prohibition of any applicable traffic sign, traffic control signal, marking, barrier, or device placed or maintained by the RM of Springfield for the purpose of regulating or prohibiting traffic, for highway construction, repair, maintenance, painting or any emergency

PARKING PROHIBITIONS

9. No person shall park, stop, or stand a vehicle over, upon or on any portion of the government road allowances described in Appendix "A" to this By-Law except:

- (i) for the purpose of loading or unloading passengers or freight provided that such loading or unloading does not exceed a total of five (15) minutes and the vehicle is actually being loaded or unloaded.
 - (ii) for the purpose of attending a place of worship or a cemetery, for the express purpose of paying respect, provided always that said attendance at a place of worship or cemetery does not exceed a duration of two hours.
 - (iii) when ordered to do so by a person having authority or a posted traffic control device.
10. Except when necessary to comply with the directions of a peace officer or traffic control device, no person shall stop, stand or park a vehicle:
- (1) on or across a sidewalk;
 - (2) in front of a driveway;
 - (3) within an intersection or within three metres thereof;
 - (4) within three (3) metres from the point on the curb or edge of the roadway immediately opposite a fire hydrant;
 - (5) on a crosswalk;
 - (6) within three (3) metres of the approach side of a crosswalk;
 - (7) in such manner that constitutes an obstruction or hazard on the highway;
 - (8) on the roadway side of a vehicle stopped or parked at the edge or curb of a street;
 - (9) except when a traffic authority otherwise permits, or on a one-way roadway when not forbidden by the traffic authority, a driver shall not stop, stand or park a vehicle other than on the right side of a highway and with the right-hand wheels parallel to that side, and where there is a curb, within 450 millimetres of the curb
11. It shall be an offence for any person to stand, stop, or park a vehicle on any portion of the government road allowances described in Appendix "A" hereto except for the purposes expressly provided for in clauses 4(i), 4(ii), and 4(iii) hereof.
12. No person shall drive a vehicle onto or along a boulevard or park or stop a vehicle on a Boulevard or public Right-of-Way.

TRUCK, TRUCK TRACTOR, TRAILER, MOTOR HOME OR BUS PARKING LIMITED TO ONE HOUR

13. LARGE VEHICLE PARKING LIMITED TO ONE HOUR

- (1) Subject to subsection (2), no person may park any of the following vehicles on a street for more than one hour:
- (a) a truck weighing more than 3,000kg (6,600lbs);
 - (b) a truck tractor;
 - (c) a trailer;
 - (d) a motor home;
 - (e) a bus or other vehicle, having more than 4 tires;

- (f) a bus or other vehicle originally having more than 4 tires which has been modified to have only 4 tires; or
- (g) a vehicle that exceeds 6.7m (22 feet) in length;

EXCEPTIONS TO LARGE VEHICLE PARKING LIMITATION

- (2) Subsection (1) does not apply to
 - (a) a vehicle that is shown to be in active use by a tradesperson working on premises in the immediate area; or
 - (b) a vehicle parked pursuant to a Permit issued under the By-law.

TRAFFIC AND PARKING RESTRICTIONS

- 14.
 - (1) No person shall park a vehicle where a sign or painted curb, placed and/or authorized by the RM of Springfield, prohibits parking, and where a sign has been erected prohibiting the parking of vehicles during certain hours or days.
 - (2) No person shall park a vehicle at any time upon the inner or shortest side of the roadway where there exists a single road of 12 metres or less in width, excepting when otherwise required by other provisions in respect of particular streets or portions of streets.
 - (3) Traffic control and parking regulations may be posted as per Appendix "A" and can henceforth be amended from time to time by Resolution of Council.

PARKING EXEMPTIONS

- 15. The provisions of this by-law prohibiting or regulating stopping and parking shall not apply to:
 - (a) vehicles of the RM of Springfield Police Service, the Royal Canadian Mounted Police, or any other Law Enforcement agency;
 - (b) vehicles of, or employed by, the RM of Springfield while in use in connection with work of necessity being done in or near a highway requiring them to stop or be parked in contravention of any such provisions; and
 - (c) vehicles of the Government of Manitoba, the Government of Canada, or a public utility if such vehicles have the owner's name painted thereon and are actually engaged in work of necessity on or near a highway requiring them to stop or be parked in contravention of any such provisions.

REMOVAL OF VEHICLES BY PEACE OFFICERS

- 16. Any vehicle, parked, stopped, or left unattended standing on any portion of the government road allowances described in Appendix "A" hereof in contravention of this by-law may be removed on order of any peace officer by,

for, and on behalf of the Rural Municipality of Springfield and may be towed or transported and be stored and impounded at the sole cost and expense of the registered owner of the vehicle.

17. Any vehicle so towed, transported or stored and impounded may only be released to the registered owner thereof, or his/her agent, or the person in charge or control of said vehicle, on payment of all costs, fees and other charges for removing, transporting, impounding and storing said vehicle.
18. In addition to ordering the removal, transportation, storage and impoundment of a vehicle found to be in contravention of this by-law, any Peace Officer may issue a Common Offence Notice describing the violation(s). Service of such notice shall be deemed to have been completed by personal service to the operator of the vehicle, by leaving a true copy of said notice affixed to the vehicle or by sending a true copy of the notice, by ordinary mail postage prepaid, to the address noted on the vehicle registration.

PENALTIES

19. Any person or persons committing an offence under this by-law shall be liable, on summary conviction, to a fine of \$20.00 if paid within ten calendar days of the date of the issuance of the common offence notice or to a fine of \$50.00 plus court costs on conviction if not voluntarily paid within ten calendar days of the date of issuance.
20. Where any offence continues for more than one day, the person is guilty of a separate offence for each day the offence continues.
21. That By-Laws No. 02-37 is repealed and no longer has any force or effect on the date of final passage of this By-Law.

PARADES

22. No person shall hold, take part in, or be a member of a parade unless:
 - (a) the parade is under the direction or control of a marshal or organizer, and
 - (b) the parade has been duly permitted by the Chief of Police, in accordance with provisions of a Special Permit under the appropriate By-Law .

SPRING WEIGHT RESTRICTIONS

23.
 - (1) The Director may restrict the maximum weight of vehicles operated on those roads that do not have concrete pavement to the extent and for such period of time as is reasonably required to protect the roads from damage and deterioration during spring thaw conditions.
 - (2) Where the Director restricts the maximum weight of vehicles on roads pursuant to subsection (1), the Director must cause to be placed such traffic control devices as are necessary to reasonably inform the public of

the restrictions and, at least one week prior to the weight restriction coming into effect, must publish in a newspaper having a general circulation in the municipality, a notice setting out

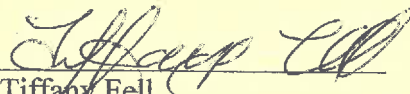
- (a) a description or list of the roads affected by the weight restriction;
- (b) the maximum weight permitted on the roads identified; and
- (c) the period of time during which the weight restrictions are in effect.

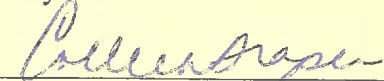
(1) No person may operate a vehicle on a road in contravention of a restriction made by the Director pursuant to subsection (1).

(2) The Director shall place and maintain or cause to be placed and maintained traffic control devices to limit the weights of vehicles operated upon roads that do not have concrete pavements. The weight limitations referred to herein shall be imposed during the period March 23 to May 31, both inclusive, of each year, unless the Director declares otherwise.

24. That By-Law No's 10-02 and 14-08 are repealed and no longer have any force or effect on the date of final passage of this By-Law.

DONE AND PASSED by the Council of the Rural Municipality of Springfield, in Council duly assembled, in Oakbank, Manitoba, this 21st day of July, A.D. 2020.


Tiffany Fell
Mayor


Colleen Draper
Chief Administrative Officer

READ a First time this 7th day of July, A.D 2020
READ a Second time this 21st day of July, A.D 2020
READ a Third time this 21st day of July, A.D 2020

APPENDIX "A"
TO BY-LAW NO. 20-07

1. East side of Academy Rd between PTH 15 and the most Northerly limit thereof in the Community of Anola
2. Almay Ave between Pine Drive and East limit of Lot 1 Block 2 Plan 5231 in the Community of Oakbank
3. Ash Grove between Cedar Ave and the South limit of Lot 8 Block 2 Plan 7777 in the Community of Oakbank
4. East and West sides of Bismark St between and the most Southerly limit thereof and Springfield Road, in NW 17-11-4E
5. East and West Sides of Cedar Ave between PR 206 and the West limit thereof in the Community of Oakbank
6. Bluegrass from Oasis Road to Easterly limit
7. Bruce Way East of PR 207
8. Crane Avenue from Varden Cres to Sylvan Ave
7. Fairview Rd from PR 213 to Southerly limit
8. Garven Heights from Springhill Drive to Easterly limit
9. Both side of Day St between Gunn Rd and Springfield Rd
10. North and South sides of Gunn Rd between Day St and East limit of railway right-of-way Plan 7416 WLTO
11. Holland St between PTH 15 and the most Southerly limit thereof in the Community of Dugald
12. East and West sides of Heatherdale Rd between the South boundary of Birds Hill Provincial Park and Oakwood Rd
13. Hazelridge Rd diversionary route through Pt Section 34-11-4E
14. Hazelridge Rd, both sides between Lornehill Road & 500 metres East of PR 207
15. Hazelridge Rd, both sides between Wenzel Road the floodway, Plans 7406 & 10283
16. East and West sides of Lorne Hill Rd between Garven Rd (PR 213) and Oakwood Rd
17. Maple Drive, west side between Willow Avenue and north to the lot line of the

Sunrise School Division property

18. McGregor Farm Road, both sides form the floodway, Plans 7406 & 10283, to a point 500 metres West
18. Mersey Drive from PR 207 to Northerly limit
19. East and West sides of Murdock Rd between Fermor Ave (PTH 1E) and the North Perimeter Hwy (PTH 101)
20. Oasis Rd between Bluegrass Rd and the Southerly limit thereof at the Red River Floodway
21. Nespick Place East of PR 207
22. Oakbank, all municipal rights of way, public lanes, utility service lanes, otherwise known as back lanes, whether developed or not.
23. East and West sides of Oakwood Road between PR 206 and Elm Drive
24. Pineridge Rd between Corbett Road and Manitoba Hydro Transmission Line Property, Plan 2903
25. West side of Pine Drive in the Community of Oakbank
26. East and West sides of Redonda St between Gunn Rd and Springfield Rd
27. Roscoe Road between Birds Hill Park and Ives Ridge
28. Sellen Place West of PR 207
29. Silver Birch St between Almey Ave and a point 200' South thereof in the Community of Oakbank
30. North and South sides of Springfield Rd between Redonda St and Bismark St
31. Springfield Road, both sides between PR 206 and Springfield Centre Drive
32. Springhill Drive from Oasis Road to Garven (PR 213)
33. Sylvan Ave from Crane Street to Westerly limit
34. Stoneridge Road, North of PTH 15, for 500 meters on both the East and West sides of the road
35. Unick Drive from Fairview to Lornehill Road
36. North and South sides of Varden Ave from Lornehill Road to Crane Street
37. East and West sides of Wenzel Street between PTH 59 and CNR Pine Falls Subdivision Railway right of way

38. Willow Avenue, south side from Main Street (PR 206) to a point 153 metres west
39. East and West sides of Balsam Crescent between Willow Avenue and Cedar Avenue the Community of Oakbank
40. Gillespie Street west side between Jaffray and Wheatland Drive
41. Oakwood Rd. north and south side between PR 206 and Elm Drive
42. Balsam Crescent east side between Cedar Avenue and the North limit thereof in the Community of Oakbank
43. Balsam Crescent West side between Willow Avenue and Cedar Avenue