

BY-LAW No. 23-14

– 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.

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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 S. 3(1) of the Municipal Bylaw Enforcement Act provides that a Municipality require administrative penalties to be paid in respect of the contravention of its by-laws.

AND WHEREAS the RM of Springfield has passed such a Bylaw being 19-18 the Municipal Bylaw Enforcement Act Bylaw

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 them by this by-law
- "Council"** means the Council of the RM of Springfield.
- “Curb”** means the lateral line or edge of a roadway.
- “Designated Officer”** has the same meaning as a “Designated Officer” pursuant to the RM of Springfield Designated Officer Bylaw 18-14.
- “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.
- “Firefighter”** means a member of the Springfield Fire and Rescue Service (SFRS), including the Chief of the Springfield Fire and Rescue Service while they are conducting operations.
- “Motor Vehicle”** means a vehicle that is drawn, propelled or driven by any means other than muscular power, but does not include railway equipment
- “Obstruction”** means something that obstructs, blocks, or closes up with an obstacle or obstacles
- “Park”** means to stand a vehicle whether occupied or not, except 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 His 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 His Majesty’s Armed Forces, numbering ten (10) or more stopped or moving anywhere on a street.

<b>“Peace Officer”</b>	means a member of the Royal Canadian Mounted Police, the Springfield Police Service and any other police officer, police constable, or any other person employed in the preservation and/or maintenance of the public peace, including a By-Law Enforcement Officer.
<b>“RM”</b>	means the Rural Municipality of Springfield
<b>"STAND"</b>	as applied to a vehicle, whether occupied or not, means (a) when required, to cause the vehicle to remain motionless in one place, and (b) when prohibited, to cause the vehicle to remain motionless in one place, except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer or a traffic control device, and "STANDING" has a corresponding meaning.
<b>"Structure"</b>	means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and, without affecting the generality of the above, shall include such things as buildings, walls, paved portions of roadways and sidewalks, utility housing, buried wires and cables, utility poles, utility duct lines, sewers, watermains, and, as well, the appurtenant fixtures thereof, parking meters and posts, fences, projecting signs, signs, billboards, poster panels, light standards, chutes, areaways, benches, vending machines and similar items.
<b>"Street"</b>	means all municipal owned right-of-way, road and streets, including streets under construction or repair, and where the context so requires, includes the whole of the area between the boundaries of the streets as recorded in the Land Titles Office and includes all lanes and alleys.
<b>"Traffic Authority"</b>	means the Council of the RM of Springfield or such committee or department designated by the Council unless otherwise indicated.
<b>"Traffic Control Device"</b>	means a sign, signal, light, pedestrian corridor, school corridor, marking or device, not inconsistent with The Act, placed or erected by a traffic authority for the purpose of regulating, warning or guiding traffic.
<b>“Trailer”</b>	means an unpowered vehicle towed by a powered vehicle.
<b>“Truck”</b>	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.
<b>"No Truck Route"</b>	means the route of travel prohibited for travel by ‘trucks’.

**“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.

**INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL DEVICES**

5. A Designated Officer shall place and maintain or cause to be placed and maintained all traffic control devices authorized by the Traffic Authority.

**TEMPORARY TRAFFIC CONTROL DEVICES AND SNOW ROUTES**

6. A Designated Officer may 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 but not limited to compacted snow and ice removal from streets, snow removal operations or as authorized by a peace officer or firefighter to insure orderly movement of traffic, to prevent injury or damage to persons or property, or to permit action in any emergency.
  - (a) 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.
  - (b) For temporary traffic control devices erected for the purposes OTHER than snow or ice removal, a Designated Officer should provide the Municipality with 24 hours public notice concerning the erection of said devices.
  - (c) Provision (b) does not apply while responding to an emergency.
7. A designated officer shall designate certain routes as ‘Snow Routes’ for the purposes of snow and ice removal.
  - (a) Designation of applicable snow routes shall be made public at the beginning of the winter snow and ice clearing season.
  - (b) Snow routes shall be appropriately signed indicating they are a ‘snow route’.
  - (c) For snow clearing operations, temporary traffic control devices can be erected on a snow route with no advance notice to the public.
  - (d) Vehicles parked on a ‘snow route’ which are interfering with snow or ice removal operations can be removed without notice

- (e) Where an unattended vehicle is parked in contravention of this Section, a peace officer may take the vehicle into his custody and cause it to be taken to and stored in a suitable place.
- (f) All costs and expenses incurred or arising out of any movement or storage of a vehicle under subsections (a) through (f) shall be chargeable to the owner and the driver of the vehicle, jointly and severally, who shall be deemed to have authorized such movement and storage at their respective risk and cost.

### **COMPLIANCE WITH TEMPORARY TRAFFIC CONTROL DEVICES**

- 8. 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.
- 9. Unless otherwise directed by a peace officer or firefighter, all persons 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.

### **SPECIAL EVENTS**

- 10. A Designated Officer or their designate may, at their discretion, authorize the temporary use of Streets and/or Sidewalks for special events such as Sidewalk sales, block parties and other like events.
- 11. Any Person desiring to hold such an event as referred to in Section 10 above, shall make application to the municipality for a special event permit. Authorization for such event shall be subject to payment (if applicable) of an application fee in the amount set out in the Fees and Charges By-Law; and compliance with all conditions and regulations imposed for said Special Event.

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

- 12. Subject to Section 13, no person may park any of the following designated 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;

13. Section 12 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 motor vehicle parked pursuant to a Permit issued under the By-law.

### **TRAFFIC AND PARKING RESTRICTIONS**

- 14. No person shall stop, park or leave a vehicle, or trailer, on a roadway for a period of time exceeding 72 consecutive hours.
- 15. 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.
- 16. 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.
- 17. 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:
  - (a) on or across a sidewalk;
  - (b) in front of a driveway;
  - (c) within an intersection or within three metres thereof;
  - (d) within three (3) metres from the point on the curb or edge of the roadway immediately opposite a fire hydrant;
  - (e) on a crosswalk;
  - (f) within three (3) metres of the approach side of a crosswalk;
  - (g) in such manner that constitutes an obstruction or hazard on the highway;
  - (h) on the roadway side of a vehicle stopped or parked at the edge or curb of a street;
  - (i) 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

- (j) in a designated parking space or allotment specifically reserved for vehicles displaying a disabled persons parking permit except where such person possesses and displays a valid disabled persons parking permit

18. A peace officer or firefighter may require the driver of a vehicle to move or may himself move a vehicle stopped or parked in contravention of this by-law.
19. Where an unattended vehicle is parked in contravention of this by-law, a peace officer may take the vehicle into his custody and cause it to be taken to and stored in a suitable place.
20. All costs and expenses incurred or arising out of any movement or storage of a vehicle under subsections (a) through (f) shall be chargeable to the owner and the driver of the vehicle, jointly and severally, who shall be deemed to have authorized such movement and storage at their respective risk and cost.

#### **PARKING EXEMPTIONS**

21. 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 or emergency services 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.
  - (d) or the purpose of loading or unloading passengers or freight provided that such loading or unloading does not exceed a total of fifteen (15) minutes and the vehicle is actually being loaded or unloaded.
  - (e) 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.

- (f) when ordered to do so by a person having authority or a posted traffic control device.

### **REMOVAL OF VEHICLES BY PEACE OFFICERS**

- 22. Any vehicle, parked, stopped, or left unattended standing on any portion of the government road allowances denoted by no parking signs 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.
- 23. 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.
- 24. 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 Penalty 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.

### **PARADES**

- 25. 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 a Designated Officer, in accordance with the provisions of a Special Event Permit under the appropriate By-Law.

### **SNOW OR ICE -- ALL PROPERTIES**

- 26. It shall be an offence for any person to remove from any private property, public property, street, boulevard or sidewalk any snow or ice and deposit same on any street, boulevard or sidewalk in such a manner that could negatively impact drainage or create a hazardous condition for either vehicular or pedestrian traffic.
  - (a) Section 26 shall not apply to the RM, the Department of Highways, their agents or employees who are actively engaged in snow removal from streets, boulevards or sidewalks in the course of their employment or fulfillment of contract.



- (b) Any person occupying a property where a building abuts the property line adjacent to a street in such a manner that snow cannot be cleared onto the property may pile the snow at the curb line of the street in such a manner that both vehicular and pedestrian traffic can pass only if a hazardous condition is not created when snow is piled in this manner.

### **SPRING WEIGHT RESTRICTIONS**

- 27. A Designated Officer 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.
  
- 28. Where a Designated Officer restricts the maximum weight of vehicles on roads pursuant to subsection (a), the Designated Officer 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.
  
  - (d) No person may operate a vehicle on a road in contravention of a restriction made by the Director pursuant to subsection (a) unless approved with a permit.
  
  - (e) 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.

### **NO TRUCK ROUTES**

- 29. No trucks shall be operated over and along the streets or sections of streets set forth as "No Truck Routes" or on such other routes as designated by the RM.
  - (a) Notwithstanding Section 29, trucks with a gross vehicle weight of less than 5,773 kilograms (12,727 lb.) may travel on all streets within the RM.
  
  - (b) Notwithstanding Section 29 any truck may not operate on any street which has been identified as a no truck route unless necessary to the conduct of business at a destination point,

provided that routes which are not designated as “No Truck Routes” are used until reaching the intersection nearest the destination point. Upon leaving the destination point, a truck shall return by the shortest route to a route which does not prohibit the movement of a truck.

- (c) All routes identified or designated as no truck routes, shall be identified by the placement of Traffic Control Devices adjacent thereto.
- (d) All streets and/or sections of streets designated as no truck routes shall not be used as such for the full twenty-four hours of each day of the year unless otherwise designated. The Public Works Departments shall keep and maintain a current map setting out the streets or portions of streets designated as no truck routes and copies of the map shall be available to the public at no charge.
- (e) Where, at any time, conditions arise whereby, in the opinion of a Designated Officer, the street is or is likely to be damaged by the operation of any class of vehicle, a Designated Officer may order, an immediate discontinuance of the operation of any class of vehicle or all vehicles over that street or portion of street until such time as a Designated Officer re-opens the street or portion of street.
- (f) The Municipality may by resolution prohibit the operation of any truck on any street.

#### **WORKING IN OR UPON ANY ROADWAY**

30. Subject to the provisions of Subsection (a) hereof, in the interest of public safety, any person desiring to work in or upon any roadway within the jurisdiction of the RM must provide 48 hours notice to the Director of Public Works or another Designated Officer when such work would disrupt vehicular traffic flows on any street.
- (a) A Designated Officer shall have the authority to restrict the hours during which such work shall be conducted so as to, in their opinion, minimize the disruption of traffic.
  - (b) Subsections (a) above shall not apply to the Department of Highways, its agents or employees with respect to those highways, providing sufficient notice of any work which would render the highway impassable to emergency vehicles is given to the Chief of Police and Fire Chief to ensure there is no disruption to emergency services.
  - (c) A Designated Officer may require any person conducting work to remove refuse from the roadway and cease work if no permission

has been obtained.

### **DAMAGING STRUCTURES IN STREETS**

31. It shall be an offence for any person to damage any structure in, upon or under any street.
  
32. It shall be an offence for any person, other than a duly authorized employee or agent of the owner of the structure, to climb, break, cut, willfully destroy, tear down or interfere with any utility housing, or any light, power, telegraph, telephone, police or fire alarm or signal pole or tower or any other pole, tower, wire or cable or any guy wire or other support or accessory thereto.

### **NUISANCE AND DANGEROUS CONDITIONS**

33. It shall be an offence for any person to place any building, structure, or other obstruction in or upon any street.
  - (a) Notwithstanding Section 33, the RM may, in their absolute discretion, authorize the placement or construction of any structure in or upon a street.
  
  - (b) It shall be an offence for any person to throw, pile, deposit, or leave any articles, merchandise, water or material of any kind in or upon any street or boulevard or to carry out or permit any action causing or resulting in the creation of a nuisance or dangerous condition in or on any street or boulevard, but this section shall not be construed to interfere with the reasonable use of a portion of a street or boulevard for a reasonable time during the taking in or delivery of goods, wares, or merchandise as provided for herein, or as may be required under the RM's Solid Waste By-law, as amended.
  
  - (c) The RM may require the person who placed or caused to be placed any building, structure, or other obstruction in the roadway to be removed immediately and the owner billed for the cost of removal.

### **VEHICLES NOT TO DAMAGE ROADWAYS**

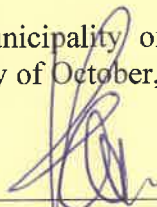
34. It shall be an offence for any vehicle having corrugated or flanged metal wheels, or any device which is dragged or hauled without wheels, or anything so constructed or loaded in such a manner as to damage the roadway, to be driven or hauled along, upon or across any of the roadways in the RM;


- (a) provided that should it be unavoidable to operate over any of the roadways, the owner or operator of the vehicle shall first obtain written permission from the Director of Public Works and shall be responsible for any damage done to the pavement or other surface of any roadway.
  
- (b) Such repairs will be carried out by the RM and the costs paid by the owner and/or operator of the vehicle which damaged the roadway.

**PENALTIES**

- 35. Where any offence continues for more than one day, the person is guilty of a separate offence for each day the offence continues.
  
- 36. Pursuant to the *Manitoba Bylaw Enforcement Act* and the Municipalities corresponding Bylaw, offences covered by this Bylaw shall be enforced via administrative Penalty Notice. Attached as a schedule to this Bylaw is the designated offence wording for specific offences and the set fine amount.
  
- 37. That By-Laws No. 20-07 is repealed and no longer has 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 17<sup>th</sup> day of October, A.D. 2023.

  
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Patrick Therrien  
Mayor

  
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Colleen Draper  
Chief Administrative Officer

READ a First time this 3<sup>rd</sup> day of October, A.D. 2023.  
READ a Second time this 17<sup>th</sup> day of October, A.D. 2023.  
READ a Third time this 17<sup>th</sup> day of October, A.D. 2023.

**SCHEDULE 'A' to RM of Springfield BY-LAW No. 23-14 otherwise known as the 'Traffic Bylaw'**

<b>Designated Offence Wording</b>	<b>Section</b>	<b>Fine Amount</b>
Fail to Place Traffic Control Device when Required	S. 6 (a)	\$250.00
Drive a Vehicle on a street closed to vehicle traffic	S. 8	\$300.00
Fail to Comply with a Temporary Traffic Control Device	S. 9	\$300.00
Park a Designated Vehicle in Excess of 1 Hour	S. 12	\$250.00
Park any Vehicle in Excess of 72 Hours	S. 14	\$75.00
Park Where Prohibited	S. 15	\$75.00
Park on a Sidewalk	S. 17 (a)	\$75.00
Park in Front of a Driveway	S. 17(b)	\$75.00
Park Within an Intersection	S. 17(c)	\$75.00
Park on a Crosswalk	S. 17(d)	\$150.00
Park to obstruct roadway	S. 17(g)	\$75.00
Park without permit in disabled parking space	S. 17(j)	100.00
Parade Without Marshal	S. 25(a)	\$50.00
Parade Without Permit	S. 25(b)	\$50.00
Deposit Snow or Debris on Roadway	S. 26	\$200.00
Contravene Spring Weight Restrictions	S. 28(d)	\$500.00
Truck on 'No Truck Route'	S. 29	\$300.00
Disrupt Vehicle Traffic Without Permit	S. 30	\$100.00
Damage Structure in Street	S. 31	\$300.00
Interfere with Lighting, Utility or other Pole or Tower	S. 32	\$300.00
Obstruct Roadway	S. 33	\$250.00
Deposit Articles or Debris on Boulevard	S. 33(d)	\$100.00
Damage Roadway Utilizing Vehicle or Hauled Device	S. 34	\$300.00