

THE RURAL MUNICIPALITY OF SPRINGFIELD

Being a By-Law to regulate the parking and storing of abandoned and derelict vehicles in the RM 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 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 Abandoned and Derelict Vehicle 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:

- “Abandoned Vehicle”** means a motor vehicle capable of registration pursuant to the *Drivers and Vehicles Act* but is not currently registered pursuant to the *Drivers and Vehicles Act* and meets any of the following criteria:
- is parked on a street; or
 - is parked on private or public property without permission from the owner or regular occupant of the property.
- “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.
- “Derelict Vehicle”** means a motor vehicle incapable of operation for any of the following reasons:
- it is wholly or partially wrecked, wholly or partially dismantled or wholly or partially stripped; OR
 - it suffers from mischief, damage or defect such that prevents it from being driven on a highway in compliance with the Highway Traffic Act
- but does not include:
- an easily remedied defect administered roadside such as a ‘flat tire’.
- “Motor Vehicle”** means a vehicle that is drawn, propelled or driven by any means other than muscular power, but does not include railway equipment
- “Owner”** means the person in whose name the vehicle is registered under *The Drivers and Vehicles Act* or *Scrap Metal Act* or under a similar law of another jurisdiction or whose name appears on ownership documentation known as a ‘Transfer of Ownership’ or similar from another jurisdiction.
- “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.

"STAND"

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.

"Street"

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.

ABANDONED VEHICLES

5. A motor vehicle is considered to be Abandoned when one or both of the following criteria are met:
 - a. it is capable of registration pursuant to the *Drivers and Vehicles Act* but is currently unregistered; OR
 - b. it is capable of registration pursuant to the *Drivers and Vehicles Act* but is currently unregistered AND is parked on private or public property without permission from the owner or regular occupant of the property.
6. It is an offence to:
 - a. Deposit, park, stand or store an Abandoned Motor Vehicle on a street, boulevard or public property; and
 - b. Deposit, park, stand or store an Abandoned Motor Vehicle on private property without the permission of the owner or regular occupant of the property.
7. Pursuant to S. 243 of the *Highway Traffic Act* a designated officer or a peace officer may take an Abandoned Vehicle into his or her custody and cause it to be taken to and stored in a suitable place.
8. All costs and expenses incurred or arising out of any movement or storage of an Abandoned Motor Vehicle 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.

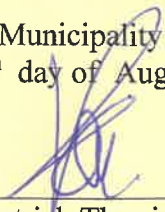
DERELICT VEHICLES

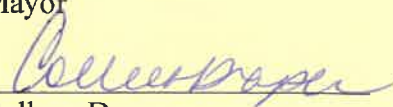
9. A motor vehicle is considered to be Derelict when one of the following criteria are met:
 - a. it is incapable of operation due to being wholly or partially wrecked wholly or partially dismantled or wholly or partially stripped; OR
 - b. it is incapable of operation due to suffering from mischief, damage or defect such that prevents it from being driven in compliance with the *Highway Traffic Act*.
10. A motor vehicle is NOT considered Derelict pursuant to S. 9 (b) when the mischief, damage or defect is minor or trifling in nature and easily remedied at the site of the motor vehicle. For example – a flat tire.
11. Pursuant to S. 10, whether mischief, damage or defect is minor or trifling in nature and easily remedied at the site of the motor vehicle is determined by a designated officer or a peace officer.
12. It is an offence to:
 - a. Deposit, park, stand or store a Derelict Motor Vehicle on a street, right of way, boulevard or public property; and
 - b. Deposit, park stand or store a Derelict Motor Vehicle on private property without the permission of the owner or regular occupant of the property.
13. Pursuant to S. 243 of the *Highway Traffic Act* a designated officer or a peace officer may take a Derelict Motor Vehicle into his or her custody and cause it to be taken to and stored in a suitable place.
14. All costs and expenses incurred or arising out of any movement or storage of a Derelict Motor Vehicle shall be chargeable to the owner and or depositor of the vehicle, jointly and severally, who shall be deemed to have authorized such movement and storage at their respective risk and cost.

PENALTIES

15. Where any offence continues for more than one day, the person is guilty of a separate offence for each day the offence continues.
16. 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.

DONE AND PASSED by the Council of the Rural Municipality of Springfield, in Council duly assembled, in Oakbank, Manitoba, this 19th day of August, A.D. 2025.



Patrick Therrien
Mayor

Colleen Draper
Chief Administrative Officer

READ a First time this 15th day of July, A.D 2025.
READ a Second time this 19th day of, August, A.D 2025.
READ a Third time this 19th day of, August, A.D 2025.

**SCHEDULE 'A' to RM of Springfield BY-LAW No. 25-11 otherwise known as the
Abandoned and Derelict Vehicle Bylaw**

Paragraph Number	Designated Offence Wording	Fine Amount (Individual)
6 (a)	Abandon Vehicle on Roadway	\$100.00
6 (b)	Abandon Vehicle on Private Property	\$50.00
12 (a)	Deposit Derelict Vehicle on Roadway	\$250.00
12 (b)	Deposit Derelict Vehicle on Private Property	\$100.00