

THE TOWN OF SWAN RIVER
BY-LAW NO. 1/2018

Being a By-law of The Town of Swan River
providing for the control of traffic and parking of vehicles.

WHEREAS The Highway Traffic Act provides that a traffic authority may make rules or pass by-laws supplementary to, or in addition to, but no contrary to, any provision of The Highway Traffic Act or regulations made thereunder and applicable on highways over which the traffic authority has jurisdiction with respect to those matters as set out in The Highway Traffic Act and may impose a penalty for a violation of any such rule or by-law;

AND WHEREAS the Council deems it to be expedient and necessary to make rules for the controlling of traffic and the parking of vehicles within The Town of Swan River;

NOW THEREFORE the Council of The Town of Swan River, in open session assembled, enacts as follows:

GENERAL PROVISIONS

1. That this By-law may be cited as "The Town of Swan River Traffic By-law".
2. That all definitions in this By-law shall be as in The Highway Traffic Act.

TRAFFIC CONTROL DEVICES

3. Stop and/or yield signs may be erected by the Town Engineer at appropriate intersections within the Town of Swan River when authorized by council and shall be as designated in Schedule "A" annexed to this By-law.

U-TURNS

- 4 a) Provided that it is safe to do so, U - Turns may only be made at street intersections;
- b) No person shall cause to be made a U - Turn at any location between street intersections;
- c) Notwithstanding sub-paragraph a) hereof, no person shall cause to be made a U - Turn at those intersections as set out in Schedule "B" hereto, at which said locations there shall be appropriately erected by the Town Engineer the proper signs.

SPEED AND MOVEMENT OF TRAFFIC

5. No person shall, within the limits of the Town of Swan River, drive or operate a vehicle at a speed exceeding 50 kilometres per hour unless the speed limit is otherwise posted.
6. No person shall, within the limits of The Town of Swan River, drive or operate or tow any vehicle or machinery upon or across a sidewalk or paved street unless such vehicle or machinery is fully mounted on rubber tired wheels or unless the sidewalk or paved street to be crossed is fully protected by planks or other such materials so as to prevent damage to such sidewalk or paved street.

PENALTY FOR FAILURE TO COMPLY WITH TRAFFIC CONTROL DEVICES

- 7 a) Every person shall obey the "Traffic Control Devices" placed or erected pursuant to this By-law and The Highway Traffic Act.
- b) Any person who contravenes, disobeys or violates, or refuses, omits, neglects or fails to observe, obey or comply with any of the provisions of sections 3,4,5 or 6 in this By-law is guilty of an offence and is liable on summary conviction, to a fine of not less than twenty dollars or not more than two hundred dollars.

LOADING AND UNLOADING OF VEHICLES

8. Notwithstanding any other provision of this By-Law, where there is a lane adjacent to a commercial property, a person operating a vehicle to make a delivery or collection from such property shall use the lane if lane side delivery facilities are available. It shall be an offence for a person to permit a vehicle to occupy a lane continuously for a period in excess of fifteen (15) minutes for any purpose.

PARKING AND STANDING OF VEHICLES

9. Unless required by traffic control devices or by other provisions of this By-Law, it shall be an offence for any person to stop, stand or park a vehicle, except an emergency vehicle, on any roadway other than parallel with the curb, headed in the direction of vehicular traffic movement in the adjacent traffic lane with the curb-side wheels of the vehicle within 45centimetres (17.7 inches) of the curb.
10. Unless specifically required by other provisions of this By-Law, or by the direction of an Officer to do otherwise, it shall be an offence for any person to stop, stand or park, as follows:
- a) On a sidewalk;
 - b) On a boulevard, except where said vehicle is parked within the bounds of an approved driveway and approach and does not obstruct a sidewalk;
 - c) On or within 3 metres of the entrance to a lane;
 - d) Within an intersection or within 3 metres thereof except where otherwise indicated by a traffic control device;
 - e) Within 3 metres from the point on the curb or edge of the roadway immediately opposite a fire hydrant;
 - f) On a crosswalk;
 - g) Within 3 metres of the approach side of a crosswalk;
 - h) Within 9 metres of the nearest rail of a railway crossing;
 - i) Within 6 metres of the driveway entrance to a fire station;
 - j) Along side or opposite a street excavation or obstruction when stopping, standing, or parking obstructs traffic;
 - k) On the roadway side of a vehicle stopped or parked at the edge or kerb of a street;
 - l) Upon a bridge;
 - m) In a place in contravention of a traffic control device that gives notice that stopping, standing, or parking is there prohibited or restricted;
 - n) Within 9 metres upon the approach to any flashing beacon, stop sign, yield sign, or traffic control signal situated at the side of a roadway;
 - o) In such a manner that constitutes a hazard on the street;
 - p) In a lane, except a vehicle which is temporarily stopped for loading or unloading purposes in compliance with section 8 hereof;
 - q) A truck whether loaded or unloaded, used for the purpose of carrying or storing bulk gasoline, liquid

petroleum gas or propane, fuel oil or other liquid material that is flammable or explosive or any other dangerous goods, unless attended while transferring products and subject to further restrictions as set out in section 8 hereof

11. No person shall park a school bus or a truck larger than a 3/4 ton pick-up truck;
 - a) On Main Street between 4th Avenue and 9th Avenue, and on the North side of Main Street between 9th and 10th Avenue;
 - b) On 5th Avenue, 6th Avenue, 7th Avenue, 8th Avenue and on the east side of 4th Avenue between Main Street and 1st Street North and Main Street and 1st South;
 - c) On any residential street between 8:00 p.m. and 8:00 a.m.
12. No person shall park a vehicle in front of a theatre between the hours of six o'clock in the afternoon and twelve o'clock midnight and such other times the theatre is in use.
13. No person shall park a vehicle of any kind, at any time on
 - a) The west side of Fourth Avenue South between Main Street and 1st Street South;
 - b) The west side of 11th Avenue South between Main Street and 1st Street South;
 - c) The North side of 1st Street South between 11th Avenue South and 9th Avenue South;
 - d) Or within 6 meters of a driveway entrance to the hospital;
 - e) The south side of Main Street between 9th Avenue South and 10th Avenue;
 - f) The east side of 9th Avenue South(100Blk) from Main Street and distant 320' south;
 - g) The west side of 9th Avenue South (100Blk) from Main Street and distant 310' south.
 - h) The south side of 1st Street North between 6th and 7th Street North.
14. No person shall park a vehicle for a period exceeding ten minutes in the following zones:
 - a) On the north side of First Street North, from the intersection of Fifth Avenue and First Street North, to a point distant easterly 130 feet there from;
 - b) On the east side of Fifth Avenue from the intersection of Fifth Avenue and First Street North, to a point distant Northerly 125 feet.
15. No person shall park a vehicle at any one of the following street locations situated within the Town of Swan River for a total time period in excess of two (2) hours without proceeding through the nearest intersection. The said parking restriction shall apply between Monday and Friday, both days inclusive between the hours of 8:00 o'clock in the forenoon and 6:00 o'clock in the afternoon and be in respect of the following locations:
 - a) On Main Street between Fourth Avenue and Ninth Avenue inclusive;
 - b) One block north and one block south of Main Street on all avenues between Fourth Avenue and Ninth Avenue inclusive;
 - c) On First Street South between Fourth and Fifth Avenue;
 - d) On the East side of Fourth Avenue South between First Street and Second Street;

- e) On First Street North between Fourth Avenue and Sixth Avenue, except on North side of First Street from Fifth Avenue to lane where there already is a ten minute parking restriction.
 - f) On both sides of Third Street North East of Kelsey Drive.
 - g) On the west side of Sixth Avenue, from the intersection of Sixth Avenue and First Street North to a point distant northerly 100 feet.
 - h) On the east side of Eleventh Avenue South between Main Street and First Street South.
 - i) The provisions of Section 15 shall not apply to any vehicles identified by a valid Town of Swan River Parking Permit issued by the Town of Swan River for the area or street for which the permit is issued.
16. No person shall park a vehicle at any one of the following street locations situated within the Town of Swan River for a total time period in excess of two (2) hours without proceeding through the nearest intersection. The said parking restriction shall apply between Monday and Friday, both days inclusive between the hours of 6:00 o'clock in the forenoon and 5:00 o'clock in the afternoon and be in respect of the following locations:
- a) On the 200 block of 10th Avenue South.
 - b) On the South side of Second Street South between 9th Avenue South and 11th Avenue South.
 - c) On the South side of First Street South between 9th Avenue South and 11th Avenue South.
17. Where and when parking is permitted, no vehicle shall be parked in any manner other than parallel to the street and facing in the direction of normal traffic flow.
18. No person shall park a vehicle on any highway within the Town of Swan River for more than one hour within the period from three o'clock in the morning to six o'clock in the morning, during the period commencing November 1st of each and every year and ending April 30th of the next ensuing year.
19. No person shall, within the limits of The Town of Swan River, erect or permit to be displayed any signs prohibited parking along the streets in any particular area without having first obtained from Council of The Town of Swan River a permit authorizing the same. Upon receipt of such an application for permit, Council may grant a permit authorizing the erection of such signs as may be approved, in such places as may be approved and in such a manner as may be approved for prohibiting of parking in any street.
20. It shall be an offence for any person to park or leave a vehicle on private property on which there is erected and maintained a traffic control device(s) indicating:
- a) That the parking of vehicles thereon is prohibited; or
 - b) That the posted area is designated "Handicap Parking Only"; or
 - c) That the posted area is designated as a fire lane.
21. Notwithstanding any traffic citation which may already have been issued with respect to a vehicle which is found parked, stopped or standing in violation of any parking restriction contained in this by-law, each additional observed violation or period of violation shall constitute a separate offence if the continuing offence is a "time related offence". All other parking offences shall constitute a separate offence every twenty-four hours after the issuance of the first traffic citation.
22. **Except as otherwise indicated by a sign or otherwise provided for in this By-Law, a person shall not park a vehicle on a street for more than 7 consecutive days.**

PENALTY FOR PARKING INFRACTIONS

23. Any person receiving a Summons for a parking violation may within fourteen (14) days from the date of the violation;
 - a) Voluntarily pay a set fine of Twenty-five (25.00) Dollars; or
 - b) May within 15 to 21 days of the date of the violation voluntarily pay a fine of Seventy-five (75.00) Dollars; or
 - c) Enter a plea of not guilty before a Justice and arrange for a trial date for hearing of the matter;
 - d) The Enforcement provisions of the Summary Convictions Act apply mutatis mutandis to the provisions of this By-law.
24. That additions and deletions can be made to Schedule A and B by resolution of Council.
25. That By-law No. 17/2017 be hereby repealed.
26. That this By-law shall come into force and effect on the day of passing thereof.

DONE AND PASSED by Council of The Town of Swan River, assembled at Swan River, in Manitoba, this 6th day of February, A.D., 2018.

THE TOWN OF SWAN RIVER

Lance Jacobson
Deputy Mayor

Julie Fothergill
Chief Administrative Officer

Read a first time this 2nd day of January A.D. 2018
Read a second time this 16th day of January A.D. 2018
Read a third time this 6th day of February A.D. 2018