

TOWN OF PENSE

BYLAW NO. 23/2013

**A BYLAW TO REGULATE THE OPERATION & PARKING OF
VEHICLES AND THE USE OF THE HIGHWAYS**

The Council of the Town of Pense in the Province of Saskatchewan enacts as follows:

1. This bylaw may be referred to as the Traffic Bylaw.

2. **DEFINITIONS**

For the purpose of this bylaw, the following terms and words shall have the following meanings:

- (a) **“angle parking”** means the parking of vehicles with the right front wheel drawn up on the right-hand side of the highway, or at a distance of not more than thirty(30) centimeters from such curb, the vehicles to be placed at an angle of forty-five (45) degrees with the curb;
- (b) **“administrator”** means the administrator of the municipality;
- (c) **“boulevard”** means the area between the travelled portion of the highway and limit of the highway right-of-way, but does not include a gravel shoulder;
- (d) **“council”** means the council of the Town of Pense;
- (e) **“curb”** means the lateral boundaries of a roadway, whether or not marked by curbing;
- (f) **“designated officer”** means the Administrator, Royal Canadian Mounted Police, Sheriff or any other person appointed to enforce municipal bylaws;
- (g) **“fire chief”** means the fire chief for the Town of Pense and anyone acting or authorized by the Fire Chief to act in his behalf;
- (h) **“heavy vehicle”** means a vehicle with or without a load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tonnes (4,500 kg.) or more;
- (i) **“highway”** means a road, parkway, driveway, square, or place

designated and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area and does not include a provincial highway within the municipality as designated pursuant to the provisions of *The Highways and Transportation Act, 1997*;

- (j) **“intersection”** means the area contained within the straight production of the lateral curb lines. Or, in the absence of curb lines, of the lateral boundary lines, of two or more highways that join one another at an angle, whether or not one of those highways crosses the other;
- (k) **“justice”** means a justice of the peace as per *The Interpretation Act, 1995*;
- (l) **“lug vehicles”** means any vehicle with a portable engine or tractor engine having metal spikes, lugs or cleats projecting from the face of the wheels or tires thereof, or having metal track tread;
- (m) **“municipality”** means the Town of Pense;
- (n) **“ one-way highway”** means highway ascribed to it by *The Traffic Safety Act*;
- (o) **“parallel parking”** means the parking of a vehicle with both right wheels thereof drawn up to the curb on the right-hand side of the highway of the highway, or a distance of not more than thirty (30) centimeters from such curb;
- (p) **“park”, “parking”** has the meaning ascribed thereto by *The Traffic Safety Act*;
- (q) **“pedestrian”** means any person afoot;
- (r) **“ place of public assembly”** means schools, theatres, churches, rinks, and halls;
- (s) **“power turn”** means to maneuver a vehicle in such a manner to cause part of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking;
- (t) **“private roadway”** means any private road, private driveway, lane ramp, or other means of vehicle access to or egress from a

building or structure and it may include part of a parking lot;

- (u) **“sidewalk”** means that portion of a boulevard which is paved, bricked or otherwise hard surfaced and intended for the use of pedestrians;
- (v) **“sign”** means any sign, curb or sidewalk marking, or other device placed or erected on a highway for the purpose of regulating, warning, guiding traffic or providing information;
- (w) **“speed bump”** means an uneven patch on the highway constructed of asphalt, concrete or other like material for the purpose of controlling speed;
- (x) **“speed zone”** means any portion of a highway within the Town of Pense, as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (y) **“stop or stopping”** means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict in compliance with the directions of a police officer or of a traffic control sign or signal;
- (z) **“u-turn”** means the turning of a vehicle so as to cause it to proceed in the opposite direction from which it was proceeding immediately prior to the commencement of such turn;
- (aa) **“vehicle”** means a vehicle, trailer or semi-trailer or a motor vehicle as ascribed to by *The Traffic Safety Act*.

3. **SCOPE**

- (a) **“Stop” Streets:** highways listed in Appendix 1;
- (b) **“Yield” Streets:** highways listed in Appendix 2;

4. **INFRACTIONS**

- (a) **“Stop” Streets:** the provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “stop” sign erected and maintained in accordance with the provisions of subsection 5(a).
- (b) **“Yield” Streets:** the provisions of *The Traffic Safety Act* shall apply to all traffic approaching and facing a “yield” sign erected and maintained in accordance with the provisions of subsection 5(b).

(c) Miscellaneous Signs:

- i.* No person shall, except where authorized by resolution of Council, or when duly authorized by law, erect upon or immediately adjacent to any highway, any sign, marker, signal or light or any advertising sign or device.
- ii.* No person shall deface damage, destroy or remove any sign or marker erected pursuant to this bylaw.

(d) Lug Vehicles:

- i.* No person shall propel, operate or drive any lug vehicle upon any highway within the municipality without first obtaining from the administrator, a permit in writing authorizing same.
- ii.* The administrator is hereby authorized to issue permits in writing for the purpose of clause 4(d)(i) of this bylaw, in any case where the applicant therefore has signed a written undertaking in Form 1, Appendix 3. Provided that the administrator shall not issue any such permit unless he/she is satisfied that with reasonable care in operation, the lug vehicle may be propelled or driven over any highway without damage resulting thereto or to any bridge or culvert thereon.
- iii.* Nothing contained in clause 4(d)(i) shall be deemed to preclude the transport of a lug vehicle as herein defined over any highway where same is being carried by means of a rubber-tired trailer or other conveyance equipped with rubber tires.

(e) Parking:

- i.* Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- ii.* (a) Subject to the provisions of sub clause 4(e)(ii)(b), no person shall park a vehicle in any lane, or in any street so as to obstruct the entrance to any lane or to a driveway or approach leading to private premises;
(b) Notwithstanding the provisions of sub clause 4(e)(ii)(a), a vehicle may be parked in any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding thirty (30) minutes at one time, unless written permission has first been obtained from the administrator or a special constable of the municipality for an extension of such time.

- iii. (a) Subject to sub clause 4(e)(iii)(b), every person parking a vehicle upon a highway within the municipality where parking is permitted, shall parallel park the same.
(b) Every person parking a vehicle upon a highway listed in Appendix 4 shall angle park same.
- iv. No person shall park a vehicle in any "No Parking" area as designated in Appendix 5 at any time whether such areas are marked on the curb or otherwise by signs erected and maintained in accordance with the provisions of subsection 5(d) to indicate that parking therein is prohibited.
- v. No person shall park a vehicle within five (5) metres of any street intersection or fire hydrant.
- vi. No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours.
- vii. No person shall park any vehicle in any private place or on any private property unless he is the owner, occupant, licensee or permittee of the parking place or private property, except with the consent of such owner, occupant, licensee or permittee.
- viii. (a) Subject to sub clause 4(e)(viii)(b), no person shall park any vehicle designated for carrying or intended for the carrying of oil, gasoline or other flammable, combustible or explosive material, within 30 metres from the building in the municipality used or intended for use, in whole or in part, as a place of dwelling, a hotel or place of public assembly.

(b) Nothing in sub clause 4(e)(viii)(a) shall be deemed to restrict the parking of any such vehicle for such period of time as may be necessary to take on or discharge cargo.
- ix. No person shall park a vehicle with a manufacturer's rated capacity in excess of 4,500 kg on any streets or avenues designated in Appendix 6.
- x. No person shall park an unregistered vehicle on any

street, avenue, lane or any public land, which includes a right of way boulevard.

- xi. No person shall park a vehicle on any highway unless on the right hand side of the highway having regard for which direction the vehicle had been proceeding.
- xii. No person shall park a vehicle so as to obstruct any portion of a sidewalk.
- xiii. No person shall park a vehicle so as to obstruct the movement of traffic.

(f) **Power Turns:** The operator of a vehicle shall not execute "power turns" on any highway in the Municipality.

(g) **Snowmobiles:**

Under the provisions *The Snowmobile Act* and subject to clause 4(g)(ii),:

- i. it shall be lawful to operate a snowmobile between the hours of 7:00 a.m. and 11:00 p.m. on any highway except the Provincial Highway access within the limits of the municipality.
- ii. Notwithstanding clause 4(g)(i) of this bylaw, it shall be lawful to operate a snowmobile on the portion of Highway access for the purpose of crossing the Provincial Highway access.

(h) **Speed:**

- i. Subject to clause 4(h)(ii) no person shall operate a vehicle in the municipality at a speed greater than thirty (30) kilometers per hour.
- ii. The provisions of subsection (i) shall not apply to the operators of fire engines or fire department apparatus or to vehicles being operated by law

(i) **Weight Restrictions – Truck Routes**

- i. No person shall operate a vehicle or a combination of vehicles when the combined gross weight of the vehicle(s) with or without a load exceeds 18,000 kg, except on a highway within the municipality designated as a Heavy Vehicle Route as listed in Appendix 8.
- ii. Subject to subsection (1), no person shall operate a vehicle or a combination of vehicles when the

combined gross weight of the vehicle(s) with or without a load exceeds the maximum allowable weight pursuant to *The Vehicle Weight and Dimensions Regulations, 2010* on any highway within the municipality.

- iii. Subsections (i) shall not apply to vehicles owned and operated by the municipality or issued a daily, weekly, monthly or annual permit from the Administrator or a duly authorized representative, for the purpose of making deliveries on any highway in the municipality provided the operator of the vehicle(s) uses the most direct route from and to the heavy vehicle route, as listed in Appendix 8.
- iv. That the municipality shall by resolution of Council be allowed to establish and revise the permit fee mentioned in section 4(k)(iii).
- v. The provisions of *The Police Act* and *The Highways and Transportation Act* shall apply to the operators of vehicles referred to subsections (i), (ii) and (iii).

(j) Vehicles on Public Reserves, etc.

- i. No person may operate or park a vehicle on any area designated on Appendix 9.
- ii. The provisions of clause 4(e)(iv) shall not apply to maintenance or vehicles using a designated parking area.

(k) Bicycles:

- i. No person shall operate a bicycle without having at least one hand on the handle bar.
- ii. No person shall operate a bicycle on a sidewalk.

(l) Emergency Control Measures:

- i. A designated officer is hereby authorized to direct traffic in conformity with the provisions of this bylaw and *The Traffic Safety Act*.
- ii. In case of fire or other emergency, or in order to expedite traffic, or safe guard pedestrians, or prevent accidents, or meet any unforeseen conditions, a designated officer or fire chief of the municipality is hereby authorized to direct traffic in

such a manner as he/she may deem necessary whether or not in conformity with the provisions of this Bylaw or *The Traffic Safety Act*.

(m) Temporary Closing and Parking

- i. Any portion of a public highway may be temporarily closed to vehicular traffic by a designated officer or the Town Foreman in order that pedestrians may have the exclusive thereof.
- ii. Notwithstanding any other provisions of this Bylaw, a designated officer shall have authority to temporarily prevent parking on any highway or portion thereof whenever in his/her judgment it may be necessary in order to avoid traffic congestion, danger or accident.
- iii. Notwithstanding any other provisions of this Bylaw, the Town Foreman shall have authority to temporarily prevent parking and/or prohibit traffic on any highway or portion thereof to allow any work to be carried out by or on behalf of the Municipality, such work to include, but not be restricted to the snow removal, cleaning, repairing or maintenance of such highway.
- iv. No person driving a vehicle shall drive through or enter upon any street or portion thereof, which is roped, barricaded or indicated, by notice or sign as being closed under the authority of a designated officer or the Town Council.
- v. No person shall park a vehicle on any highway or portion thereof on which parking has been temporarily prohibited by a designated officer or the Town Foreman under the provisions of subsections (ii) and (iii) of this Section.

5. SIGNS

- (a) Council shall cause to be erected and maintained at all stop streets in Appendix 1, at a distance of approximately three (3) metres from point of intersection, an appropriate sign containing the word "STOP", so placed to face the traffic approaching the intersection.
- (b) Council shall cause to be erected and maintained at all yield

streets listed in Appendix 2, at a distance of approximately three (3) metres from point of intersection, an appropriate "YIELD" sign, so placed to face the traffic approaching the intersection.

- (c) Council shall cause to be erected and maintained at all "No Parking" areas as listed in Appendix 5, appropriate signs and/or curb markings. Such signs or curb markings shall be visible from that part of the highway to which the restriction applies.
- (d) Council shall cause to be erected and maintained at all "Speed Bump" locations as listed in Appendix 10, at a distance of approximately ten (10) metres (or at any other distance Council may determine) from the speed bump an appropriate sign warning of the bump and identifying the maximum speed at which it is safe to proceed over the speed bump, so placed to face the traffic approaching the speed bump.

6. PENALTIES

(a) Signs:

Any person who contravenes any of the provisions of clauses 4(c)(i) and 4(c)(ii) of this bylaw is guilty of an offence and liable on summary conviction to the penalties provided in the General Penalty Bylaw of the Town of Pense.

(b) Lug Vehicles and Power Turns:

Any person who contravenes any of the provisions of subsections 4(d)(i) and 4(f) of this bylaw shall be liable on summary conviction to a penalty of:

- i. clause 4(d)(i) \$50.00
- ii. subsection 4(f) \$100.00

(c) Parking, Public Reserve:

A person who contravenes any of the provisions of subsections of this bylaw or fails to comply therewith or with any of this bylaw or fails to comply therewith or with any notice or order given there-under shall be guilty of an offence and upon summary conviction, shall be liable to penalties as follows:

- i. Clause 4(e)(ii) \$50.00
- ii. Clause 4(e)(iii) \$50.00
- iii. Clause 4(e)(iv) \$100.00
- iv. Clause 4(e)(v) \$50.00
- v. Clause 4(e)(vi) \$50.00
- vi. Clause 4(e)(vii) \$50.00
- vii. Clause 4(e)(viii) \$200.00
- viii. Clause 4(e)(ix) \$100.00
- ix. Clause 4(e)(x) \$50.00
- x. Clause 4(e)(xi) \$50.00

xi.	Clause 4(e)(xii)	\$50.00
xii.	Clause 4(e)(xiii)	\$100.00
xiii.	Clause 4(j)(i)	\$100.00

(d) Notice of Violation:

- i. A violator of any of the subsections of this bylaw, as set out in subsection 6(c) upon being served with a Notice of Violation, may during the regular office hours, voluntarily pay the penalty at the municipal office within 30 days and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- ii. The Notice of Violation shall be in Form "2", Appendix 11, attached to and forming part of this bylaw.

(e) Bicycle Contravention

The penalty for the contravention of section 4(k)(i), 4(k)(ii) and 4(k)(iii) is as follows:

- (i) for the first infraction impounding the bicycle for 7 days; and
- (ii) for the second or additional infractions, impounding the bicycle for 14 days.

(f) Speed, Failing to Stop, Failing to Yield etc.

The penalties for these and other traffic violations other than parking under *The Traffic Safety Act*, *The Snowmobile Act* and *The School Bus Operating Regulations* shall be liable to the penalties imposed by *The Summary Offences Procedure Act* and/or any other applicable legislation.

(g) Weight Restrictions

- (1) A person who contravenes the provisions of subsections 4(i)(i) and/or 4(i)(ii) and 4(i)(iii) is guilty of an offence and liable on summary conviction to a penalty of not more than \$500.00 for the first and subsequent offence.
- (2) A further penalty shall be imposed as follows:
 - (i) three dollars for each 50 kg or fraction thereof for the first 1,000 kg in excess of the prescribed maximum gross weight allowable; and
 - (ii) five dollars for each 50 kg or fraction thereof in excess of 1,000 kg that actual gross weight exceeds the prescribed gross weight allowable, provided that in computing the further penalty, 500 kg or two per cent of the maximum gross

weight fixed by this bylaw, whichever is the lesser, shall not be taken into account.

- (3) In each instance, the total fine shall not exceed the maximum provided for in the **General Penalty Bylaw** of the Town of Pense.

7. IMPOUNDING

(a) In addition to and notwithstanding any provisions contained within Section 6 hereof, any person appointed as a designated officer pursuant to this bylaw:

- i. may remove or cause to be removed any vehicle that:
 1. is unlawfully placed, left or kept on any street, public parking place, or other public place;
 2. is unlawfully parked pursuant to clause 4(e)(vii) when requested by the owner, occupant, licensee or permit holder of said land; or
 3. is found on a street, street, public parking place, other public place or municipally-owned property when:
 - a. the owner of the vehicle owes three or more outstanding fines to the municipality for parking offences;
 - b. the appeal period against the imposition and amount of said fines has expired;
 - c. at least two notices that the fines are outstanding were sent to the owner at least one week apart; and
 - d. a justice, having been satisfied by evidence provided by way of oath, affidavit or statutory declaration of the existence of the facts mentioned above in clauses 7(a)(i)(3)(a) to (c), has issued an order authorizing the removal and impoundment

ii. and seize, impound or store such vehicle.

- b. The municipality may retain a vehicle which has been impounded or stored after it has been removed under subsection 7(a) until the amount of outstanding fines, if any, and the costs incurred in removing and impounding or storing the vehicle have been paid, and upon payment of said outstanding fines and costs the vehicle

shall be released to the owner.

- c. If the fines and costs described in subsection 7(b) have not been paid within a period of 30 days (*longer if Council wishes*), the municipality shall have the right to recover same from the owner of the vehicle by :
- i. legal action in a court of competent jurisdiction;
 - ii. sale through public auction; or
 - iii. by private sale of the vehicle.
- d. Prior to the sale of a vehicle which has been impounded or stored under this section, the municipality shall provide notice designating the time and place of the sale at least 14 days (*longer if Council wishes*) prior to the sale by:
- i. publishing a notice in a newspaper circulating in the municipality;
 - ii. sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - iii. by any other means which council may consider appropriate.
- e. The proceeds from such sale shall be applied firstly on the fines and costs described in subsection 7(b) and the balance remaining, if any, shall be paid to the owner.
- f. If the proceeds from such sale are insufficient to satisfy the fines and costs described in subsection 7(b), the amount of the shortfall shall be a debt due and owing from the owner and enforceable by the municipality in any manner allowed by law.
8. **REPEAL**
Bylaw No. 1/2000 is hereby repealed.
9. **COMING INTO FORCE**
This bylaw shall come into force and effect on the day it is approved by the Highway Traffic Board.




Mayor


Administrator

APPENDIX 1
of Bylaw No. 23/2013

"STOP" STREETS [section 4(a)]

Street or Avenue	Where intersected by street or avenue
1. Assiniboia Street	West bound to stop @Ontario Street
2. Press Street	West bound to stop @Ontario Street
3. North Front Street	West bound to stop @ Ontario Street
4. South Front Street	West bound to stop @ Ontario Street
5. Qu'Appelle Street	West bound to stop @ Ontario Street
6. Press Street	West bound to stop @ Brunswick Street
7. Press Street	East bound to stop @ Brunswick Street
8. Press Street	West bound to stop @ Manitoba Street
9. Press Street	East bound to stop @ Manitoba Street
10. Manitoba Street	North bound to stop @ Press Street
11. Manitoba Street	South bound to stop @ Press Street
12. Qu'Appelle Street	West bound to stop @ Manitoba Street
13. Qu'Appelle Street	East bound to stop @ Manitoba Street
14. Qu'Appelle Street	West bound to stop @ Elder Street
15. Qu'Appelle Street	East bound to stop @ Elder Street

APPENDIX 2
of Bylaw No. 23/2013

"YIELD" STREETS [section 4(b)]

Street or Avenue	Where intersected by street or avenue
1. Brunswick Street	South bound @ North Front Street
2. Lewis Street	South Bound @ North Front Street
3. Elder Street	South Bound @ North Front Street

**FORM 1
APPENDIX 3
of Bylaw No. 23/2013**

PERMIT FOR OPERATION OF LUG VEHICLE [section 3(e)(ii)]

NAME: _____

ADDRESS: _____

TYPE OF VEHICLE: _____

ROUTE: _____

DEPOSIT:\$ _____

I declare that:

(1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.

(2) I will, when operating such lug vehicle over any bridge or culvert on any highway or on any specified bridge or culvert thereon, first lay down on such bridge or culvert planks or timbers of not less than 5 cm in thickness and should extend a minimum of 300 mm wider on each side than the maximum outside width of the lugs; such planks or timbers to be laid lengthwise across the bridge or culvert in the direction in which the lug vehicle is proceeding in such a manner that they will support the wheels or tread of the lug vehicle on both sides thereof throughout its entire passage over such bridge or culvert.

(3) I will pay for all damages caused to such highway or to any bridge or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.

(4) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.

(5) I understand that all municipal bridges have secondary weight limitations unless posted otherwise and I will ensure that I comply with any and all weight restrictions.

Owner/Operator

APPENDIX 4
of Bylaw No. 23/2013

"ANGLE PARKING AREAS" [section 4(f)(iii)(b)]

Street or Avenue	From	To
1. North Side of North Front Street	Corner of Brunswick Street & North Front Street	Corner of Elder Street & North Front Street
2. East Side of Manitoba Street	Corner of Manitoba Street & Press Street	45.72 Meters South of Qu'Appelle Street
3. East Side of Brunswick Street	Corner of Brunswick Street & Press Street	48 Meters North of Press Street

APPENDIX 5
of Bylaw No. 23/2013

"NO PARKING" AREAS - [section 4(f)(iv)]

Street or Avenue	From	To
1. North side of Press Street in front of the Town Office / Post Office		
to 10:30 am. (Monday to Friday)		
2. Fire hall - in front of the fire hall doors		

APPENDIX 6
of Bylaw No. 23/2013

"NO PARKING" AREAS (Heavy Vehicles) - [section 4(f)(ix)]

Street or Avenue	From	To
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1. All streets within the Town of Pense		
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APPENDIX 7
of Bylaw No. 23/2013

"SPEED ZONES" - SCHOOLS - PLAYGROUND [section 4(i)]

Street or Avenue	From	To
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All streets within the Town of Pense are 30 km per hour with the exception of Ontario Street which is 50 km per hour.

APPENDIX 8
of Bylaw No. 23/2013

Heavy Vehicle Routes [section 4i(i)]

Street or Avenue	From	To
1. Ontario Street	South Front Street	Assiniboia Street

APPENDIX 9
of Bylaw No. 23/2013

"PUBLIC RESERVES" etc. [section 3(k)]

1. Lift Station
2. Pumphouse
3. Lions Park
4. School Grounds

APPENDIX 10
of Bylaw No. 23/2013

Speed Bump Locations

Street or Avenue
*(Sample wording for
location)*

Location
76 meter N.
of _____ Ave.

Form 2

APPENDIX 11
of Bylaw No. 23/2013

NOTICE OF VIOLATION

TOWN OF PENSE

NAME: _____

ADDRESS: _____

POSTAL CODE: _____ Phone: _____

On the _____ day of _____, 20____, at/near _____, Saskatchewan
at _____ a.m/p.m

Did unlawfully commit the following offence:
("X" indicates offence charged)

_____ Parking	Bylaw No. _____
_____ Other	Bylaw No. _____

DESCRIPTION OF OFFENCE: _____

LOCATION OF OFFENCE: _____

You are charged with violation of Bylaw No. 23/2013, Section(s) _____

Penalty for the above violation:

- may be paid voluntarily
- may not be paid voluntarily

Special Constable/Authorized person(s)

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

Where the penalty for the above violation is \$ or less, you may make voluntary payment of the above penalty at the municipal office of the Town of Pense during regular office hours or by mail within ____ days from the date of service of this Notice of Violation.

If you do not make a voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction, you shall be liable to the penalty provided under section ____ of the said bylaw.

shall be released to the owner.

- c. If the fines and costs described in subsection 7(b) have not been paid within a period of 30 days (*longer if Council wishes*), the municipality shall have the right to recover same from the owner of the vehicle by :
 - i. legal action in a court of competent jurisdiction;
 - ii. sale through public auction; or
 - iii. by private sale of the vehicle.
 - d. Prior to the sale of a vehicle which **has** been impounded or stored under this section, the municipality shall provide notice designating the time and place of the sale at least 14 days (*longer if Council wishes*) prior to the sale by:
 - i. publishing a notice in a newspaper circulating in the municipality;
 - ii. sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
 - iii. by any other means which council may consider appropriate.
 - e. The proceeds from such sale shall be applied firstly on the fines and costs described in subsection 7(b) and the balance remaining, if any, shall be paid to the owner.
 - f. If the proceeds from such sale are insufficient to satisfy the fines and costs described in subsection 7(b), the amount of the shortfall shall be a debt due and owing from the owner and enforceable by the municipality in any manner allowed by law.
8. **REPEAL**
Bylaw No. 1/2000 is hereby repealed.
9. **COMING INTO FORCE**
This bylaw shall come into force and effect on the day it is approved by the Highway Traffic Board.





Mayor



Administrator